



Tibetan and Uyghur Refugees in the New Colonial Era:

Reflection on the Rise of Chinese Colonialism

後冷戰時期
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Foreword

Professor Dibyesh Anand

If we centre the experiences of those people, individuals and collectives, who are occupied, oppressed and marginalised, our scholarship will be rather different from when we take the nation-states and their power for granted. That the world is nation-statist, in other words, dominated by nation-states claiming sovereignty over ‘their’ population and territory, does not change the fact that this proprietorial notion of sovereignty is questioned and rejected by those who see ‘their’ different nation and territorial homeland as forcibly subsumed under more powerful state. When there is a clash between a nation-state and a stateless nation, the most appropriate framework to understand it is one of colonialism. Yet, colonialism is often seen as a matter of history rather than of contemporary geopolitics.

Unlike dominant scholarship on what is often seen as ‘China and its peripheries’, this volume does not shy away from putting ‘China’ under scrutiny. It is the lived experiences of those inhabiting the ‘periphery’ of China and those exiled from there that are privileged: Tibetans, Uyghurs and Hongkongers. This ‘privileging’ is a challenge not only to China Studies that often remains Beijing centric, but also to significant number of Tibet, Hong Kong and Xinjiang scholars who shy away from recognising that the places and people they study are living under Chinese colonial occupation.

Given the authoritarian nature of Party’s Republic of China, officially called People’s Republic of China, human rights denial, and restrictions on scholarship, it is not surprising that most of the contributors to this volume live in exile. In fact, it is precarity of exile that offers some hope for freedom, including freedom to reflect, write and speak truth to power. Some of the writers of the chapters are articulating what most of their fellow nationals living under colonial occupation may want to but cannot without risking their lives and livelihoods.

That the volume is coming out of a conference held in Taiwan is particularly significant. Taiwan is a site of fear. From PRC’s side, there is a fear of ‘permanent loss’ through possible Taiwanese independence. From Taiwan’s side, there is a fear of instability, war and/or loss of de facto autonomous and democratic identity. Unlike Uyghurs, Tibetans and Hongkongers who lost all forms of autonomous identity in practice, while living under the facade of ‘nationality autonomy’ or ‘one country, two system’, Taiwanese are free from

PRC's rule. Yet, the dominant desire in Beijing is to end that freedom. What is unthinkable today can become thinkable tomorrow and possible day after. Taiwan's loss of freedom to PRC might be unthinkable, due to geopolitical factors, right now, but given the repeatedly stated desire of China and its growing might, can one safely predict that the unthinkable will remain unrealisable?

Alternatively, given that all colonial empires collapse one day, is freedom for Tibetans, Uyghurs or Hongkongers, that seems unthinkable today, necessarily impossible? As scholars, we have the 'luxury' to think beyond the obvious. What I read in the chapters in the volume is not only despair or crisis but resilience and desire to survive. Decolonisation of China is unlikely but not impossible. Let us imagine the unlikely, the unthinkable.

Let us begin by taking seriously scholars who speak from their lived experience of being the occupied and marginalised and scholars who research and write in solidarity.

Professor Dibyesh Anand

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Acknowledgement

This edited book is the result of a workshop on human rights issues related to Tibet, Xinjiang, and Hong Kong. The book addresses the Chinese government policies toward Tibet and Xinjiang and the situation of Tibetan and Uyghur refugees in India and Türkiye. The idea was not only to compare the respective challenges and resilience against Chinese hegemony, but also to provide a comprehensive understanding of Tibet, Xinjiang, and Hong Kong. It is unfortunate to write this, but due to security concern, presentations on Hong Kong refugees in Taiwan remains accessible only to a limited audience who had attended the closed-door session. Subsequently, papers on Hong Kong refugees must withdraw from publication. On a positive note, we are able to compile other papers presented at the workshop into an edited volume so that the scholarly work and discussion held at the workshop remain accessible in the future. While I take full responsibility for the weaknesses and errors in this edited book, this book would not have been produced in this form without the support, encouragement and guidance of some distinguished experts and contributors. I would like to take this opportunity to thank the Director (Professor Su-lin Yu) and Deputy Director (Professor Shan-Hui Hsu) of Research Center for Humanities and Social Sciences, National Cheng Kung University for supporting me in organising this workshop and later encouraging me to work on this edited book. I would like to express my gratitude to the following distinguished experts whose comments and suggestions helped to improve and strengthen arguments presented by these promising and established scholars. Their contribution has been invaluable and has enhanced the overall quality of the discussion and scholarship that this book aims to produce. Professor Dibyesh Anand, Professor James Millward, Professor Sudeep Basu, Professor Jigme Yeshe Lama, Professor Debasish Chaudhuri, Professor Avinash Godbole, Professor Raviprasad Narayanan and Mr Jayadeva Ranade, President of the Centre for China Analysis and Strategy. Last but not least, I hope that this book will be helpful to all readers who want to understand the conflict between China and Tibet, Xinjiang and Hong Kong, and the Tibetan and Uyghur refugees as a result of the conflict.

Dolma Tsering
October 2022

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Abbreviations

ASEAN: Association for South East Asian Nations

BRI: Belt and Road Initiative

CC: Central Committee

CCP: China Communist Party

CERD: Convention on Elimination of Racial Discrimination

CL: Criminal Law

CLP: Criminal Law Procedure

CPC: Communist Party of China

CPS: Central Party School

CTA: Central Tibetan Administration

CTRC: Central Tibetan Relief Committee

DIIR: Department of Information and International Relations

EE: External Elements

EGiE: East Turkistan Government in Exile

ETIP: East Turkistan Islamic Party

ETNAM: East Turkistan National Awakening Movement

EU: European Union

FRA: Foreign Registration Act

GSP: Golden Shield Project

HKD: Hong Kong Dollar

HKSAR: Hong Kong Special Administrative Region

HKSARG: Hong Kong Special Administrative Region Government

ICAS: Institute for Central Asian Studies

ICJ: International Criminal Court

ICT: Information and Communication Technology

IER: East Turkistan Republic

IJOP: Integrated Joint Operation Program

KMT: Kuomintang

LETW: Legal Empowerment of Tibetan Women

NPC: National People's Congress

NSC: National Security Commission

NSL: National Security Law

PLA: People's Liberation Army

PRC: People's Republic of China

R.C: Registration Certificate

RMB: Renminbi

SCO: Shanghai Cooperation Organisation

SIM Foundation: Society for Information Management Foundation

SU: Soviet Union

TAR: Tibet Autonomous Region

TCV: Tibetan Children Village

TGiE: Tibetan Government in Exile

TIP: Turkistan Islamic Party

TJC: Tibet Justice Center

TWA: Tibetan Women Association

UFWD: United Front Work Department

UN: United Nations

UNHCR: United Nations Human Rights Council for Refugees

UNSC: United Nations Security Council

USSR: Union of Soviet Socialist Republics

WP: White Paper

WUC: World Uyghur Congress

XUAR: Xinjiang Uyghur Autonomous Region

Introduction

Dolma Tsering

1. Background of the discussion

The term colonialism has primarily been used to describe the expansion of European and American power into Africa and Asia. In her book, "Colonialism/Postcolonialism", Ania Loomba defined colonialism:

"[...as] the conquest and control of other people's land and goods. It entails the process of forming a community in the new land necessarily meant un-forming or re-forming the communities that already existed. It involved a wide range of practices including trade, settlement, plunder, negotiation, warfare, genocide, and enslavement".¹

Colonialism combines territorial, cultural, judicial, political, economic, and mental/epistemic domination of one group by another external or foreign group.² It involves the subjugation of the native population by external power through various means such as military dictatorship, political reorganisation and domination, and investment capitalism to change the course of the local economic system and culture and identity assimilation. Through these aspects of incorporation, the native people, once the majority or dominant group, are transformed into a minority group.³

After the end of World War II, a new era began, referred to as the era of decolonization or the post-colonial era, with many colonized states declaring independence. However, what has been overlooked is the rise of new colonial powers emerging from Asia. In 1949, the Communist Party of China (hereinafter CPC) defeated the Chinese nationalist party (Kuomintang) and gained complete control over China, thereby declaring the establishment of the People Republic of China (hereinafter PRC). The CPC ran the rhetoric of China as a victim of western imperialism and launched a "liberation" campaign to conquer neighbouring countries like Tibet and East Turkestan (Xinjiang) in the name of

¹ Loomba, Ania (2015), "Colonialism/Postcolonialism" Third Edition, published by Routledge 2 Park Square, Milton Park, Abingdon, pp:20

² Murrey, Amber (2020), "Colonialism", Audrey Kobayashi (Eds)," International Encyclopedia of Human Geography" (Second Edition), Elsevier, Pp: 315-326,

³ Schaer, Richard T (2015), "Minorities", in James D. Wright (Eds)," International Encyclopedia of the Social & Behavioral Sciences (Second Edition), Elsevier, Pp: 569-574,

anti-imperialism. In the 1950s, an imperial aggression led by Mao Zedong, People's Liberation Army (hereinafter PLA) occupied Tibet and East Turkestan (Xinjiang) and incorporated both countries into the larger political structure of China. Chinese colonialism in Tibet and East Turkestan (Xinjiang) involves territorial annexation, the influx of Chinese immigrants and the suppression of their distinguish language, religion and ethnic identity. Anthropologist and expert on the Tibetan resistance movement, Carole McGranahan, observed that after the end of European colonisation or in the era of post-colonial, many colonized countries in Asia and Africa gained independence, ironically or unfortunately, Tibet and East Turkestan (Xinjiang) lost their independence and became the colony of Communist China.⁴

2. Expansion of the People's Republic of China's Power in Tibet and Xinjiang: Rise of New Colonial Power and New Refugee Crisis

2.1: China-Tibet Conflict and Tibetan refugees

Tibet and China share unique histories with different nationalities, languages, religions, cultures, and socio-economic lifestyles and civilization. Before the Chinese invasion of Tibet, it was a buffer zone between British India, Czarist Russia and China. The great game between British India and Czarist Russia's influences over Central Asia developed insecurities of Western imperialism in China. This fear was confirmed when the British invaded Tibet in 1904 and forced the 13th Dalai Lama into exile in Mongolia. Fear of Western imperialism prompted Qing China to initiate a "forward policy" that called for the incorporating Tibet into China to secure its border from the possible "western infiltration or imperialism".⁵ They saw Tibet and East Turkestan (Xinjiang) as "frontiers" and vulnerable entry points for Western penetration into China. Following Qing, the successive rulers in China, Republic of China (hereinafter ROC) headed by Kuomintang (KMT) and the CPC shared the same concern and succeeded in the Qing policy of incorporation of Tibet into China. Soon after the establishment of the ROC, the new president Yuan Shi- Kai called for integration, union and equality of the "Five Races", which included the Tibetans, Manchu, Mongols, Muslims and Han Chinese.⁶ The ROC

⁴ McGranahan, Carole (2019) "Chinese Settler Colonialism: Empire and Life in the Tibetan Borderlands." In Stéphane Gros, ed., *Frontier Tibet: Patterns of Change in the Sino-Tibetan Borderlands*, Amsterdam: Amsterdam University Press, pp.517-540

⁵ Tsomo, Yudro (2013), "Taming the Khampas: The Republican Construction of Eastern Tibet", *Modern China*, May 2013, Vol. 39, No. 3 (May 2013), Pp: 319-344

⁶ Goldstein, Melvyn C. A. (2010), "History of Modern Tibet, 1913-1951 The Demise of the Lamaist State"

attempted several measures to assert China's sovereignty over Tibet, including establishment of the Mongol and Tibet Affairs Commission (MTAC), insertion of constitutional provisions related to Tibet, and a few military interventions. The ROC government also sent several diplomatic missions to Tibet in order to negotiate about Chinese sovereignty over Tibet. Since the priority at that time was to counter the Japanese and the CPC expansion, moreover, due to a lack of resources, the Nationalist government of Chiang Kai-shek failed to achieve any effective state-building tasks or integration of Tibet into China. The ROC influence in Tibet remained limited, with only a few regions in eastern Tibet like Bathang, Derge, Gyalthang etc.⁷

After the fall of Qing Dynasty, the 13th Dalai Lama rejected the Chinese claims and declared Tibet as an independent country. He returned from exile to Tibet and ordered the removal of the Chinese from Tibet. Considering the threat of Chinese aggression, the Tibetan government called for reform in tax collections and shifted focus toward modernizing the Tibetan Army. Tibet relied on British India for external intervention in the Sino-Tibet conflict. It maintained an independent government and military and exercised all diplomatic engagements without any interference from China.⁸ Therefore from 1911 to 1949, with the thirteen Dalai Lama as the head of state and religion, Tibet functioned and performed as an Independent state. However, this was to be short-lived. On October 1949, following the defeat of Kuomintang, CPC General Zhu De, PLA's Chief Commander, affirmed that Tibet was part of the newly established People's Republic of China. He announced that it was the responsibility of the PLA to liberate Tibet from the influences of Western imperialism.⁹ PLA launched operation of "Liberation of Tibet", which called for military incorporation of Tibet. Subsequently military intrusion which started from eastern Tibet in 1951 was ended with the capturing the capital Lhasa in 1959. The Tibetan army was outnumbered by the Chinese army that also equipped with better and more advanced armament. The Tibetan government, including its leader, the 14th Dalai Lama, sought international support but was unsuccessful. After eight years of resistance, the PLA crushed the 10th March 1959 Tibetan National Uprising and hurriedly transferred thousand of PLA and CPC member to consolidate the power in Tibet. The Dalai Lama was forced into exile and eventually it dissolved the Tibetan government and replace it with "The Preparatory

University of California Press Berkeley · Los Angeles · Oxford

⁷ Lin, Hsiao-ting (2006), "Tibet and Nationalist China's Frontier: Intrigues and Ethno politics: 1928-49", UBC Press, Contemporary China Studies, Library, and Archives, Canada

⁸ For instance, the 1914 Agreement with British India, China, and Tibet. In 1913, Tibet and Mongolia signed an agreement to recognise each other's independence.

⁹ Norbu, Dawa (2008) Chinese Strategic Thinking on Tibet and the Himalayan Region, Strategic Analysis, 32:4, Pp: 685-702

Committee of Tibet Autonomous Region" headed by the CPC. Therefore, in the era of European decolonization, the rise of Chinese colonialism forced Tibet to become a colony of China.

In the following years, China followed in the footsteps of European colonizers by introducing various reforms that changed Tibet's traditional economic and political system. For instance, land reform abolished the traditional estate system and confiscated the property of Tibetan elites, moreover, Tibetans were forced to join the commune and mutual aid system.¹⁰ Instead of traditional barley, wheat cultivation were introduced which resulted in crop failure and famine. Following the commune system, the Cultural Revolution destroyed thousands of Tibetan monasteries and killed millions of Tibetans.¹¹ Deng Xiaoping's opening and reform policy influx Tibet with increased Chinese migrants that subsequently dominated the market and caused the marginalisation of Tibetan within the rapid economic growth.¹² To give a small example, in 2005, "there are a total of 675 businesses in Barkham, the Aba Prefecture seat (the majority Tibetan populated area), of which 433 are owned by Chinese, 217 are owned by Tibetans, 22 are owned by Hui, and the remaining are owned by other nationalities (e.g., Bai). Tibetan owned business accounts for about 32% of the total".¹³ Andrew Martin Fischer (2013) book titled "The Disempowered Development of Tibet in China: A Study in the Economics of Marginalization" and Emily Yeh (2013) book titled "Taming Tibet: Landscape Transformation and the Gift of Chinese Development" provides an in-depth research about how China's rapid growth model in Tibet have resulted in the marginalization of Tibetan. Economy in Tibet is today dominated by Chinese, whether it is the Party or the people.

Between 1987 and 1989, China witnessed unexpected mass protests staged by Tibetans after the Dalai Lama's address at the United States Congressional Human Right Caucus on September 21, 1987. In addition to calling for China's repressive policies in Tibet, he announced his Five Points Peace Plans for the resolution of the Tibet issue.¹⁴ The

¹⁰ For economic reform see Dreyer, June Teufel (2003) "Economic Development in Tibet under the People's Republic of China" Journal of Contemporary China (2003), 12(36), August Pp: 411-430,

¹¹ See Woeser, Tsiring, Tsering Dorje, and Susan T. Chen. *Forbidden Memory: Tibet during the Cultural Revolution*. Edited by Robert Barnett. University of Nebraska Press, 2006. <https://doi.org/10.2307/j.ctvzxxbdk>

¹² See Fischer, Andrew Martin (2013), "The Disempowered Development of Tibet in China: A Study in the Economics of Marginalization" Published by Lexington Books, Weatherhead East Asian Institute, Columbia University

¹³ Shiyong, Wang. "Tibetan Market Participation in China - Core." Ph.D Thesis. Institute of Development Studies University of Helsinki, November 2009. Available at <https://core.ac.uk/download/pdf/14917313.pdf>.

¹⁴ His Holiness the Dalai Lama of Tibet, "Five Point Peace Plan: Address to the U.S. Congressional Human Right's Caucus", September 21, 1987, accessed on 2022/09/11, available at <https://www.dalailama.com/messages/tibet/five-point-peace-plan>

Chinese government rejected the Dalai Lama proposal and after one week of his speech, on 27th September 1987, Tibetans staged the second mass protest after the Tibetan national uprising in 1959, against the Chinese government, demanding freedom and Tibet's Independence. These protests were known as pro Independence protest.¹⁵ On the 1st of October, a group of Tibetan monks from Sera monastery, one of the largest monasteries in Tibet lead another large demonstration on China's National Day in Lhasa, where Tibetan monks fly Tibetan national flags and continued to call for freedom and Tibet's Independence. More than 3000 Tibetans participated in these series of protests which started from September 1987- May 1989 and more than 200 people were killed. The government evacuated all foreigners and declared the emergency imposition of the Martial Law on May 1989. In 1989, the Dalai Lama was awarded Nobel Peace Prize for leading a peaceful movement against the Chinese aggression in Tibet and these series of developments helped internationalization of the Tibet issue. In 1994 China called for the Third Tibet Work Forum to decide how to approach the Tibet issue.¹⁶ The outcome of the forum called for "development and stability" as guiding principle of China's Tibet policy. It announced millions of yuan investment in infrastructure development projects and strengthening the repression of religious and political freedom in Tibet. With such policy, the government hopes to achieve stability and earn Tibetan's loyalty from economic development projects. The government also started an unusual attack against the Dalai Lama as a separatist.¹⁷ Tibetans have been subjected to re-education and strike-hard campaign that called for learning CPC's ideology and intolerance towards any expression of reverence towards the Dalai Lama. As with colonized people elsewhere, Tibetans resisted these repressive and assimilative policies with protests but remains unsuccessful. In 2008, during the Beijing Olympic, Tibetan staged third major protest demanding freedom and Tibet's Independence. According to International Campaign for Tibet, an NGO that works for human rights issue in Tibet, since 2009, 159 Tibetan have self-immolated in the protest against the Chinese leadership and their policies.. These series of protests in Tibet advocates that China's massive investment has failed to garner loyalty of Tibetan. In other words, the "development and stability" policy has failed in Tibet, as result it continued to

¹⁵ "China Orders Martial Law, Deploys Troops in Tibet." Los Angeles Times. Los Angeles Times, March 8, 1989. <https://www.latimes.com/archives/la-xpm-1989-03-08-mn-257-story.html>.

¹⁶ The Tibet Work Forum are important meetings that was started first in 1980 to reassess policies related to Tibet. It is where the CCP leaders review policies and performances of the Tibet Autonomous Region's party and government leadership and sets out plans, especially security plan for long term stability. The First forum was held in 1989, followed by second and third in 1984 and 1994.

¹⁷ See Robert Barnett (2012), "Restrictions and Their Anomalies: The Third Forum and the Regulation of Religion in Tibet", *Journal of Current Chinese Affairs*, Vol 41, Issue 1, Pg, 45-107

use repressive, assimilative approach to deal with the Tibet issue.¹⁸

The fear of political persecution compelled the 14th Dalai Lama, both the spiritual and political leader of Tibet, to flee the Chinese invasion and seek refuge in India. In following years, about 80,000 Tibetans have followed him to India. In India, the Dalai Lama rejected the Seventeen Point Agreement signed in 1951 after CPC violated the promised autonomy. Subsequently, in 1961, the Dalai Lama announced the establishment of the Tibetan government in exile (name changed to CTA: Central Tibetan Administration) with two key agendas of restoring freedom in Tibet and rehabilitation of Tibetan refugees in India, Nepal and Bhutan. As a part of the rehabilitation agenda, the Dalai Lama and the exiled government established separate Tibetan settlements, schools, and monastic institutions in India. Within a few years, these resettlement and rehabilitation programs successfully establishes a cohesive Tibetan refugee community in India with vibrant Tibetan culture and identity.

India is currently home to 90,000 Tibetan refugees located within the 45 Tibetan settlements in India.¹⁹ Even though Tibetan refugees in India enjoy greater democratic values of religious and political freedom, they continue to face multiple socio-economic challenges because of the lack of citizenship rights and their legal status as “foreigners” in India. In faces with various challenges, many choose to migrate to another continent like North America, many in India seeks legal mobilization of citizenship rights for Tibetans.

2.2: China- Xinjiang (East Turkestan) Conflict and Uyghur refugees

Xinjiang (East Turkestan) shares a different relationship with China. Before the CPC annexation, Xinjiang (East Turkestan), located northwest of China, was known as the East Turkestan Republic (ETR). The ethnic heritage of the ETR’s population consisted mainly of Uyghurs and included other Muslim ethnic groups from neighbouring Central Asian states like Kazakhstan, Uzbekistan, Türkiye²⁰ and Kyrgyzstan. The ETR also shared a close border and relationship with Czarist Russia. Like Tibet, a military leader during the Qing Dynasty recognized Xinjiang (East Turkestan) as a key economic center and a border that

¹⁸ Woeser, Tsering (2016), “Tibet on Fire: Self Immolation against Chinese Rule”, Published by Verso, Also see; Society for Culture Anthropology 2012. "Self-Immolation as Protest in Tibet." Hot Spots, Field sights, April 9. Available at <https://culanth.org/fieldsights/series/self-immolation-as-protest-in-tibet>

¹⁹ Tibetan In Exile, Central Tibetan Administration (CTA), available at Tibet in Exile - Central Tibetan Administration, Accessed on 2022/06/17

²⁰ Following the major push from President Recep Tayyip Erdogan’s government, the United Nations officially changed the name of Republic of Turkey to Türkiye , which is the Turkish name. See more about the change in the name: <https://indianexpress.com/article/explained/turkey-name-change-turkiye-explained-7952091/>

should be guarded to protect China from Western imperialism.²¹ Qing China annexed East Turkestan in 1884 and renamed it as Xinjiang (new territory of China). The subsequent ruler in China, the ROC and PRC continued to use name Xinjiang. During the ROC period, Chinese warlord continued to dominate Xinjiang, however, in 1933, Turkic rebels revolted and declared the establishment of the First Independent Islamic Republic of East Turkestan in October 1933.²² The ROC failed to establish effective control. Throughout the 1930s, the region came under the influence of both China and the Soviet Union. In 1944, with the support of the Soviet Union, the Second East Turkestan Republic was founded and declared complete autonomy from Chinese influences. One year after the foundation of the ETR, the Soviets compromised Xinjiang's sovereignty with the ROC to counter the rise of the CPC. Soviet-ROC cooperation de-established the ETR and incorporated it as Xinjiang province of the ROC. Following the ROC's defeat, Xinjiang's military and government surrendered to the PLA and eventually CPC established local government in Xinjiang and consolidated complete control.

In 1954, the Chinese government established the Xinjiang Production and Construction Corps (XPCC), a paramilitary development organization to protect regions from potential threats. The establishment of the XPCC increased Chinese immigrants in Xinjiang and intensified Chinese influences in the region. The Cultural Revolution further heightened the resistance and anger against the Chinese leadership. Some Uyghurs complained that attacks against their religion were not only intended to subvert their culture and ethnic identity but also intended to destroy their way of life.²³ Under the Deng Xiaoping leadership, China adopted a moderate policy towards Tibet, Xinjiang and Inner Mongolia. However, following the disintegration of the Soviet Union in the late 1980s, leaders in Beijing were more alarmed about the potential threat of independence movements in Tibet and Xinjiang, and public statements called for maintaining stability in the region as the top priority.²⁴ As a result, the CPC claimed that Islam and Tibetan Buddhism were sources of ethnic unrest and subversive forces promoting independence. Subsequently, since the beginning of Jiang Zemin's leadership, China has formulated more aggressive policies targeting religious and educational institution. Under the strike-hard

²¹ Rossabi, Marris (2022), "China and the Uyghurs: A Concise Introduction", Published by Rowman & Littlefield, Pp:17

²² Lim, Ching Mun Rosalyn (2011), "RELIGION, ETHNICITY, AND ECONOMIC MARGINALIZATION AS DRIVERS OF CONFLICT IN XINJIANG", Thesis, Master of Arts, Georgetown University Washington, D.C. November 29, 2011, Pp:3

²³ Ibid, Pp:62

²⁴ Dreyer, June Teufel (1993), "China's Minority Peoples" Humboldt Journal of Social Relations, Vol. 19, No. 2, Race, Gender & Ethnicity: Global Perspectives (1993), pp. 331-35

campaign, the government called for the suppression of religious freedom, forceful imposition of the Chinese language in schools, and subjugation of the local identity, religion and languages. Repression and forced assimilation intensified with the increased number of concentration camps and surveillance system under Xi Jinping.

Like Tibetan refugees, Uyghurs also had to leave their homes in Xinjiang after the PLA occupation. Many Uyghurs and Kazakhs had to seek refuge in other countries like India, the Soviet Union and Türkiye.²⁵ In India, a refugee association was established to rehabilitate Uyghur and Kazakh refugees from Xinjiang and implemented various programs and strategies to resist the CPC hegemony in the region. Türkiye started welcoming Uyghur refugees as early as 1952.²⁶ The social and economic disruption of the Great Leap Forward movement caused widespread demonstrations and forced about 70,000 Uyghurs and Kazakhs to flee to the Soviet Union in 1962.²⁷ This was the second wave of Uyghur and Kazakh migration from Xinjiang to other countries. China's assimilation and repression policies on the religion and ethnic identity of Uyghurs forced several thousand Uyghurs to flee Xinjiang and seek refuge in countries like Türkiye, Vietnam and Thailand. According to MAUSA²⁸, Türkiye alone has more than 50,000 Uyghur refugees, and if we add Uyghurs who spread across other countries, there are nearly a hundred thousand Uyghur refugees worldwide.

In contrast to Tibetan refugees, the Uyghur diaspora did not initially have a government in exile, that could unilaterally represent Uyghur's political movement, until recently with the establishment of the World Uyghur Congress (WUC).²⁹ Moreover, Uyghur refugees, mainly owing to Islamophobia, and China's greater economic influences in countries of the Central Asian region, face different sets of challenges outside China.

In addition to Tibet and Xinjiang, in 2019, the Hong Kong Special Administrative Region of the PRC introduced a new extradition bill titled "Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019". The bill seeks a special surrender arrangement and mutual legal assistance in criminal matters between

²⁵ See: Jacobs, Justin M. (2016), "Exile Island: Xinjiang Refugees and the "One China" Policy in Nationalist Taiwan, 1949–1971", *Journal of Cold War Studies* Vol. 18, No. 1, Winter 2016, Pp: 188–218, doi:10.1162/JCWS_a_00624

²⁶ Bonnenfant, Isik Kusçu (2018) "Constructing the Uyghur Diaspora: Identity Politics and the Transnational Uyghur Community" in Gülganat Kurmangaliyeva Ercilasun and Konuralp Ercilasun (Eds), "The Uyghur Community Diaspora, Identity and Geopolitics", Published by Springer Nature

²⁷ Dreyer, June Teufel (1986), "The Xinjiang Uygur Autonomous Region at Thirty: A Report Card" *Asian Survey*, Vol. 26, No. 7 (July 1986), Pp. 721-744

²⁸ MAUSA Muslim Aid USA, available at Uyghur Refugees - MAUSA

²⁹ See World Uyghur Congress, available at World Uyghur Congress | About

Hong Kong and any place outside Hong Kong.³⁰ China received widespread criticism over the bill. Protestors argued that the bill will, in addition to the erosion of Hong Kong's legal system that guarantees democracy, freedom and liberty, it will have a negative impact on Hong Kong's business climate. Fear of arbitration detention especially among political dissidents led to mass protests against the bill known as the Anti-Extradition Bill movement from 2019-2020. The Chinese government not only suppressed the demonstration but took complete over Hong Kong's political, administrative and legal system. The fear of political persecution and the increased influences of the CCP and PLA after the implementation of the bill compelled many Hong Konger to flee Hong Kong and seek political asylum in other countries. The legacies of Chinese colonialism in Tibet and Xinjiang is unique and at the same time a worrisome. It involves the eradication of distinct identity, culture and religion that has thousand years of civilization. Those who have become refugees because of the China's annexation and continued hegemonic and authoritarian sinicisation policy, continue to face multiple challenges because of the lack of document and their status as a refugee. Moreover, the Chinese government continues to influence the host country policies and approach towards these refugees through various financial aids.

3. Chapterisation

The book is presented in four sections with different themes. Since the centrality of the discussion emerged from China and its relationship with the sensitive peripheries of Tibet, Xinjiang and Hong Kong, this volume begins with a discussion on Chinese colonialism with a paper titled “Decolonizing China”. The first section of the book provides a unique perspective about Chinese colonialism based on author expertise and professional experiences. The paper developed from the keynote speech given by Professor Dibyesh Anand during the workshop held in June 2022. This chapter introduces the reader to multiple ways contemporary China is practising colonization or how it is performing as a colonizing state. It also highlights a few unique characteristics of Chinese colonialism, particularly emphasizing expanding Chinese influences in Western academic institutions. Finally, the paper also explores challenges associated with Tibetans, Uyghurs and Hong Kongers resisting Chinese domination to unravel the process of decolonization.

The second section of the book focuses on the Tibet issue and Tibetan refugees in

³⁰ Hong Kong Special Administrative Region of the PRC (2019), “Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019”, availabe at <https://www.legco.gov.hk/yr18-19/english/bills/b201903291.pdf>, Accessed on 2022/10/12

India. The chapter by Jigme Yeshe Lama mapped the changes and continuity in China's Tibet policy under the Hu Jintao and Xi Jinping leadership. Following the introduction, this chapter introduce readers to major developments in the Tibet-China conflict during the 16th, 17th and 18th Party Congresses. Then, it conducts a more in-depth analysis of the Tibet situation under Xi Jinping and the 19th Party Congress. When Xi Jinping was announced as the new leader of the 19th Party Congress, due to his family connection with the Dalai Lama and Tibetan Buddhism, there was some anticipation for the relaxation of China's repressive policies in Tibet. However, as we learn, Xi Jinping instead reaffirms a continuation of the earlier hard-line policies in Tibet and towards the Dalai Lama.

Dawa Lokyitsang's paper on Tibetan women in exile makes an important contribution to this edited volume. The marginalization of discourse on the role of women in establishing a prosperous society is not uncommon, and studies about Tibetan women are no exception. The paper highlights the importance of gendered nuances in what leadership could and should look like for exile leadership and how Tibetan women manifest and embody leadership in exile. The first section elaborates on the leading role Tibetan women have taken in establishing one of the important pillars of the exiled Tibetan community in India— Tibetan schools. This chapter highlight, how in the absence of the CTA leadership, Tibetan women had taken the leadership in advancing more advocacy for gender equality and condemnation of gender based violence in Tibetan exiled community.

The fourth chapter discusses a topic which has received enormous attention recently: the legal mobilization of citizenship for Tibetan refugees in India. India is home to more than 90,000 Tibetan refugees in India. Over the last seven decades, they have lived as "stateless/foreigners" in India. Except for the first generation of Tibetan refugees that escaped from Tibet to India in 1959, the second, third and fourth generations were born in India and adapted to the Indian subcontinent culturally, economically and in other aspects as well. The majority of the second and third generations have not seen Tibet. Irrespective of such circumstances, over the last seven decades, Tibetans have continued to remain as refugees. However, owing to greater exposure, opportunity and mobility, many younger generation have recently expressed the desire to consider Indian citizenship, resulting in a heated debate within the refugee community. The chapter explores this debate with a particular focus on why many younger generations are considering for Indian citizenship and why the first generation rejected Indian citizenship. Data collected from field visits are fundamental because they reflect the younger generation's perspective, which is missing in many research produce on the same subject.

The third section of the book highlights China-Xinjiang conflict and Uyghurs refugees. The section begins with the fifth chapter by Abdürreşit Celil Karluk focuses on Uyghur refugees in Türkiye. Research findings and data analyses are presented in four sections. The first section covers the historical and political relationship between East Turkestan and China, China's incorporation of Xinjiang and its policies and attitude towards Xinjiang and Uyghurs. The second section examines the situation of Uyghur refugees in Türkiye and underscores the reasons for migration and routes of escape from China to Türkiye. The third section concentrates on the plight of Uyghur refugees in Türkiye. Besides continuous harassment by the Chinese government, Uyghurs in Türkiye are also deprived of residency, health insurance and work permits. They also face constant social discrimination and exclusion by labelling them as "Chinese" from the host population. With the lack of sufficient scholarship on Uyghur refugees, Abdürreşit Celil Karluk's chapter assumes a vital contribution.

In the sixth chapter, Sadia Rahman and Erkin Emet examine the CCP's assertive assimilation policies on Uyghurs in East Turkistan (Xinjinag). The CCP's relationship with Uyghurs in Xinjiang is complex, sensitive, and driven by political and security concerns of separatism and terrorism. The chapter decodes this complicated relationship with the help of the theory of threat perception. The paper demonstrates how the Chinese government's perception and propaganda portraying Uyghurs as "dangerous" aggravates ethnic prejudices towards Uyghurs by Han Chinese. Cultivation of such perceptions enables China to justify policies like the war on terrorism in Xinjiang and policies that aim to eradicate ethnic distinctiveness and enforce a common Chinese identity.

Chapter seventh, authored by Chien-yu Shin, examines international sanctions imposed on China because of the alleged genocide in Xinjiang. This paper examines whether sanctions are effective methods to incentivize human rights improvements. The first section of the paper elaborates on three definitions of genocide, including cultural genocide, the United Nations Convention on the Crime of Genocide (1948), and the Holocaust, and their relevance in the current Xinjiang context. Following this, the author alludes to the prospects and challenges of different sanction methods adopted by the United States. The paper's final section looks at policy adjustments to strengthen the effectiveness of sanctions.

The final section of the book brings a comparative study on tactics Beijing adopted to abduct autonomy in Tibet and Hong Kong. It examines how Beijing used similar tactics to suppress dissidents and revolution. With the Tibetan national uprising in 1959 and the Hong Kong revolution in 2019, Beijing did not immediately order the People's Liberation Army

to crush the protests. Instead, it waited for a worsened situation like mass protests and eruption of violence to impose a military crackdown. Simon Shen's chapter establishes an interesting discussion about the tactics and strategies Beijing adopted to militarirly integrate resistive regions like Tibet, Xinjiang, and Hong Kong, and could serve as essential reading for Taiwan, which Beijing claims to be the lost province of China and the last Chinese colonial project.

Chapter One

Decolonising China: Key Note Speech

Dibyesh Anand

Taiwan is an important destination to conduct this workshop about Tibetan, Uyghur, and Hong Kong refugees partly because China repeats the rhetoric of ‘Taiwan is an integral part of China’ without regard to the wishes of the people of Taiwan like the way it makes similar claims about Tibet, Xinjiang and Hong Kong. Taiwan is a colonial project for PRC that can only be completed once it is integrated with the motherland (China). Therefore, the moment we say ‘Taiwan’ on its own, it triggers a fear of further separatism in Beijing. The PRC government claims Taiwan has historically been part of the Chinese empire. A study of the people of Taiwan, particularly the indigenous population that had been marginalized, minoritized, and of migrants from the mainland who then became the politically dominant group, reminds us that Taiwan has been a product and a victim of Chinese colonization for a long time. Given the brief background about the Chinese colonization and its aims toward Taiwan, the location of Today’s workshop is significant. What Tibetans and Uyghurs have experienced for many decades under the People’s Republic of China and what Hong Kong people are experiencing now is a reflection of what Taiwan people will experience or are likely to experience until and unless the Chinese colonial state weakens and there is a credible push back against it.

1. Why it is Important to have More Open Discussion about Tibet, Xinjiang and Hong Kong

Presentations by scholars from the previous sessions have highlighted why this workshop is essential. We all know that whether it is Tibet, Xinjiang, or Hong Kong, these issues are sometimes weaponized by the Western government against China. For instance, Tibet was used by the USA in the 1960s to create challenges for PRC; however, they dropped the issue in the 1970s as the US-China rapprochement took place. In the late 1980s and 1990, the Tibet issue once again caught international attention with the Nobel Peace Prize awarded to the Dalai Lama, and the Tibetan cause received tremendous support; again, in the last 10-15 years, Tibet has gone on the back burner as China became an economic superpower and used economic muscle and public diplomacy to raise the cost for

any country wishing to speak for Tibetans. In recent years, the Uyghur issue has acquired prominence in the West, even though many of the supporters never speak of human rights challenges other ethnonational people face. Therefore when we see governments and politicians that claim to support the Tibet or Uyghur issue, it is not just about a concern for human rights, but other factors are involved, and this is the risk we have with selective solidarity.

For instance, when oppressed people become dependent on the Western government and politicians' support, what may happen is what happened to the Kurdish people. At one point, they received enormous help, especially from the US, but then the support disappeared as Turkey asserted itself. Solidarity cannot be a part-time preoccupation; yet, this is how states operate. We cannot take empathy for Tibetans or Uyghurs in the West for granted. In addition to geopolitical interests, there can be exhaustion in the support expressed in every human rights issue, whether it is Tibet, Uyghurs, or Hong Kong.

Within academia and universities, we also face the marginalisation or domestication of issues related to refugees and human rights. For instance, whether you are a professor in India or the West, you always have to ask the question: what are the costs we have to bear if we keep talking very politically about Tibet, Uyghurs, and Hong Kong? Do our fellow faculty members support us when we organize and speak politically on human rights issues, or do they prefer that we only talk about human rights and not self-immolations? Based on my 25 years of academic experience, I observe a disinterest/fear when discussing the self-determination of occupied and oppressed people. Academic scholars will often limit themselves to talking only about human rights issues. Even that discussion then gets reduced to 'culture' if the oppressor is a strong power that is seen as vital for the finances of your country's educational system. Given the dependence of US/US universities on students and increasing research and teaching links with China, the trend is to turn apolitical and avoid teaching/researching contentious themes, including Tibet, Xinjiang, Hong Kong and now Taiwan. Given the above-mentioned exhaustion and domestication of these issues, the title of today's workshop, which has 'resilience, resettlement, and resistance', is crucial. How can the exiles, refugees, and diasporic groups not only survive but resist?

2. Challenges Related to Resisting China

China is a rising power, and it is a severe challenge to discuss how to resist China. However, the rise of China is a fact, and it is not likely to fall or disintegrate. I attended a

conference in Dharamsala, and I recall Gordon Chang, an expert on China, talking about the coming collapse of China. A few political leaders and officials from the Tibetan government in exile were quite excited and hopeful about such an assessment. I was there as a scholar and intellectual; I felt that that was a naive expectation. Other eminent China scholars have talked about the collapse of China by 2022, but all of them have been proven wrong. Therefore, those who are in solidarity with Tibet, Hong Kong, and Uyghurs should acknowledge that we are in the long game, meaning the collapse of China is unlikely to happen, but it might weaken politically or economically, but the right to self-determination these groups is not likely.

How do we resist in the face of rapidly rising China? What are the challenges we face?

The first challenge is partial and temporary sympathy. Even though the core issue concerning these three cases for Tibetans, Uyghurs and Hong Kongers are the same - the right to self-determination and the protection of human rights - all of them failed to receive the same amount and kind of solidarity from various supporters. For instance, those who support Tibet will often not talk about Uyghurs and Hong Kongers. Those who support Hong Kong often do not stand with Tibetans and Uyghurs. For the Tibet issue in India, a significant section of far-right Hindu nationalists will generally express sympathy because of the Chinese aggression at the Indian border. However, they will not express the same kind of solidarity and support for Uyghurs because they are Muslim.

Similarly, there is scepticism among many Muslims about the Uyghur cause. Many left-progressive groups, ones who are otherwise anti-imperialist and anti-colonial, reject Tibetan or Uyghur cause and see it as western conspiracy and propaganda. Many deny genocide and human rights and say it is western propaganda.

The second challenge is the spread of the Chinese government's influence within Western academic institutions. The influence and pressure that the Chinese government has successfully created are not only limited to economic and political spaces. Still, they are now spread across all kinds of institutions like media, educational and cultural institutions. There are instances where scholars are willing to organize a discussion about these three cases but refuse to invite any activist working on these issues. We face these kinds of challenges within academia regularly. Fear of repercussions of inviting activists has helped China to control academic freedom. Another challenge within the academic institution is the weaponization of "Chinese sentiments being hurt". In the west, there are a large number of Chinese students and scholars; some of them will speak of "cultural insensitivity", "Sinophobia", and "our sentiments are hurt" to stop you from establishing an honest

conversation about the Chinese colonization of Hong Kong, Tibet, and Xinjiang.

3. Resisting China: Need to Acknowledge the Characteristic of Colonialism

Given the challenges mentioned above, the question here is how to resist China. First, we need to acknowledge the characteristics of colonialism to address the above challenges. Whether it is about Uyghurs, Tibetans, or Hong Kongers, the problem here is not just about the Communist Party of China per se, but the Chinese colonization. I call it “colonization with Chinese characteristics”. I argue that it is not internal colonialism because internal colonialism implies that China has a legitimate claim over Uyghurs, Tibetans, and Hong Kongers.¹ Whether it is Tibetans, Uyghurs, or Hong Kongers, they have their perspectives and views. If we consider their arguments and perspectives, China does not have a legitimate claim over them. Ethics requires that scholars privilege the opinions of those powerless rather than those with power. Suppose Tibetans or Uyghurs are claiming atrocities or genocide in their community. In that case, we should respect that view rather than accept the Chinese state narrative of “happy Tibetans or “happy Uyghurs”. It is full-fledged colonization because colonization involves political, territorial, economic, social and cultural control and dominance.

Colonization involves knowledge production control; as a result, everything that is written and spoken about by Uyghurs, Hong Kongers, and Tibetans in PRC has to be controlled by the government. For instance, Tibet cannot be Tibet; instead, it has to be “China’s Tibet”; PRC will insist that Tibet has always been part of China and Tibetans should always be grateful to the motherland China. Any scholarship that challenges or questions the state propaganda is rejected as a separatist. The same is with the Uyghurs; propaganda about the Uyghurs people is that they have always been happy and colourful. Hong Kong’s situation is slightly different. However, it is moving in the same direction as Tibetans and Uyghurs. Therefore, the fact is, in addition to territorial, political, economic, and social control, there is control over knowledge production, and those of us who have studied Edward W. Said’s Orientalism is familiar that imperialism always goes hand in hand with knowledge production². If you look at China’s colonization of Tibetans, Uyghurs and Hong Kongers, it goes hand in hand with control over their knowledge production. China cannot control the knowledge being produced outside China. However, Beijing will

¹ See Dibyesh Anand (2019) Colonization with Chinese characteristics: politics of (in)security in Xinjiang and Tibet, Central Asian Survey, 38:1, 129-147, DOI: 10.1080/02634937.2018.1534801

² See Edward W. Said (1978) *Orientalism, Penguin Books*

try to influence it, and this is a battle we face in Western academia.

While control over knowledge production is at the heart Chinese colonizing project, violence is never absent. Violence is at the very heart of colonization. I don't have the time to go through the systemic and widespread use of violence by China against Uyghurs, Tibetans and Hong Kongers. Violence is both visible and invisible. We can see the use of violence at every level. China had been a victim of Western and Japanese colonization at one point, but today it is the practitioner of colonialism, which is the reality.

Paternalism is also a characteristic of colonization. Chinese state represents Uyghurs, Tibetans and Hong Kongers as either "forever grateful" or dangerously subversive because they are not adequately grateful. In short, we need to talk about the elephant in the room, which is Chinese colonization.

4. Conclusion and Way Forward

To give a voice to Tibet, Uyghur, and Hong Kong issues is to acknowledge the Chinese colonization. We can ensure the resilience, resettlement, and resistance of all these groups function once we recognise the common ailment of colonization. First, I am emphasizing colonization because that is the reality; people face colonization; second, there are international anti-colonial norms and rules.

We also need to reject a false dichotomy between human rights and self-determination. I argue that there is human rights violation against Uyghurs because they have no self-determination. If we recognise and accept the reality of colonization, it allows us to speak of both self-determination and human rights. It also allows for more solidarity between groups and other colonized and occupied people in other parts of the world. Acknowledging China as a colonizing power is a first and essential step before we imagine decolonizing China.

Finally, I wanted to remind you that there is hope, and if we look at the long-term, colonization does come to an end, as no empires survive forever. So what we need to do is build solidarity and work towards recognizing the problem (colonization) for what it is and work against that because the only good scholarship, in my view, is a scholarship that supports and has solidarity with those with less power than a scholarship that amplifies the ego of those who already have power, in this case, China.

Chapter Two

Tibet, Xi Jinping and the 19th Party Congress-Old Wine in a New Bottle

Jigme Yeshe Lama

1. Introduction

After the 19th Party Congress, Xi Jinping, who had been reappointed as the General Secretary of the CCP, wrote a letter to a family of Tibetan herders residing in Lhunse County, Tibet Autonomous Region (TAR). In the letter, Xi praises and encourages the family to defend Chinese territory further. Lhunse County is at the southern foot of the Himalayas at the borders between India and China, much of which is disputed. Xi's letter was a reply to one that this family had written while the 19th Party Congress was in session¹. The letter stressed how the Tibetan family had, from 1979 onwards, stayed in their village and thus remained on the frontline of China and India's conflicting territorial claim.² President Xi emphasizes the need to safeguard the motherland's border and for the family to continue defending the sacred homeland. He also iterates on the CCP's aim to continue leading people of all ethnic groups towards a better life.³

For the CCP and the Chinese nation-state, Tibet and Tibetans are re-casted in terms of security as Tibetan regions of China are at the periphery of the Chinese nation-state, where the process of incorporation of Tibet and Tibetans is currently underway. This is seen with the appearance of infrastructure brought by the Chinese state in Tibet. The last and only county in China without a highway link was Medog County, near China's border with India and which was connected to the national road network when a highway to Medog County was built in Tibet in 2013.⁴ The CCP is seen to be divesting much of its energies towards

¹ China Daily(2017), "Xi encourages Tibetan herders to safeguard territory", China.org.cn. October 30, 2017, Accessed on 30 November 2017 http://www.china.org.cn/china/2017-10/30/content_41813357.htm

² Shen, Alice (2017). "In letter to Tibetan herders, Xi sends message on China's border row with India" South China Morning Post. 30 October 2017, Accessed 30 November 2017, available at <http://www.scmp.com/news/china/diplomacy-defence/article/2117503/letter-tibetan-herders-xi-sends-message-chinas-border>.

³ China Daily (2017), "Xi encourages Tibetan herders to safeguard territory". China.org.cn. October 30, 2017, Accessed on 30 November 2017, available at. http://www.china.org.cn/china/2017-10/30/content_41813357.htm

⁴ Xinhua (2017), "Highway to heaven and to China's most isolated county", New China.April 17, 2017. Accessed

consolidating this project of nation-state building in Tibet, which is also reflected in the pronouncements that emerged during the Congress. In his work report, Xi Jinping stressed the need for promulgating ethnic unity and making them remain closely united like the “seeds of a pomegranate that stick together”.⁵ In his report, Xi mentions the need to safeguard national security by preventing ethnic separatist activities and religious extremist issues, termed as having solid repercussions in Tibet.

Furthermore, after the 19th Party Congress, in much of the Tibetan inhabited regions of Sichuan, Qinghai and Gansu, the CCP officials conducted patriotic education campaigns based on the principle of the 19th Party Congress.⁶ Much of the campaigns have been directed in places where self-immolations and demonstrations have been very strong. The United Front Work Department (UFWD) is seen as conducting patriotic education.⁷ Also, much of this re-education is seen to be directed toward the Tibetan religious establishments as a part of the effort to “combat the Dalai clique’s separatist activities”.⁸ This also fits under the 19th Party Congress pronouncement by Xi, who called upon the CCP to provide “active guidance to religions so that they can adapt themselves to socialist society”⁹. These can be understood as measures that have been adopted by the CCP for a long in the Tibetan regions, along with a strategy of economic development through which it is seen to be consolidating the Chinese nation-state in the Tibetan region. These twin strategies are much a continuation of the earlier policies that the CCP had followed from the early 1990s and one that got further reiterated in the 19th Party Congress.

It was the 18th Party Congress that heralded the accession of Xi Jinping and the fifth generation of Chinese leaders. Xi Jinping is categorized as a princeling due to the revolutionary credentials of his father, Xi Zhongxun, one of the major figures in the establishment of the PRC. He was appointed as the Political Commissar of the Lanzhou Military Region from 1950-1954, and during this period, he built strong ties with the

² December 2017, available at http://news.xinhuanet.com/english/2017-04/17/c_136214937.htm

⁵ Xi Jinping (2017), “Secure a Decisive Victory in Building a Moderately Prosperous Society in All Respects and Strive for the Great Success of Socialism with Chinese Characteristics for a New Era”. October 18, 2017. Accessed 16 November 2017, available at

http://www.xinhuanet.com/english/download/Xi_Jinping's_report_at_19th_CPC_National_Congress.pdf

⁶ Lortie, Molly (2017). “CPC starts mandatory training on 19th Congress Party in Tibet”, Tibet Post International, November 28, 2017, Accessed on 2 December 2017.

<http://thetibetpost.com/en/news/tibet/5825-cpc-starts-mandatory-training-on-19th-congress-party-in-tibet>

⁷ Ibid

⁸ Dasgupta, Saibal (2017), “Now Tibetan monks get communist training in China”. Times of India. November 29, 2017, Accessed 2 December 2017, available at

<https://timesofindia.indiatimes.com/world/china/now-tibetan-monks-get-communist-training-in-china/articleshow/61854748.cms>

⁹ Ibid.

Panchen Lama.¹⁰ Senior Xi also had overall responsibility for the 1954 visits to China of the Dalai Lama and Panchen Lama.¹¹ During this visit, the Dalai Lama gifted him a watch, which survived the Cultural Revolution when Xi Zhongxun was purged. After his rehabilitation, Xi Zhongxun was an interlocutor with exiled Tibetans, who have described how, in 1982, Xi was carrying a photo of the Dalai Lama.¹² He was seen as a dove in the Party, championing the rights of Tibetans, Uighurs and other ethnic minorities.¹³ Hence, with his son's elevation as the General Secretary of the CCP and the President of the PRC, the Tibetans, including the Dalai Lama, were hopeful regarding a change in the policies towards Tibet. Even some observers, such as Bao Tong, one time top aide to purged leader Zhao Ziyang, believed that Xi Jinping would carry forward his father's policies regarding minorities.¹⁴

However, on the eve of the 18th Party Congress in November 2012, five-self immolations took place in Tibet as a way to convey the unhappiness of Tibetans about the new leadership of the CCP.¹⁵ The self-immolations as a form of protest in Tibet started in 2009 when on February 27, a young monk named Tapey from Kirti monastery in Ngaba Tibetan Autonomous Prefecture self-immolated to protest against the cancellation of the Great Prayer Festival (*Monlam*) that was supposed to commemorate the victims of the government crackdown in 2008.¹⁶ That year, a wave of protests engulfed the culturally Tibetan regions, with protestors carrying the banned Tibetan national flag and shouting pro-independence slogans. While the immediate cause of the protests was the Dalai Lama's statements on March 10 commemorating the forty-ninth anniversary of Tibetan National Uprising Day, where he declared that talks between his envoys and the Chinese authorities had yielded no positive outcome and there was increased repression and brutality inside Tibet.¹⁷ This galvanized the Tibetans inside Tibet to vent their frustrations which had been building up due to repressive policies being followed by the party-state in Tibet since the late 1990s.

¹⁰ The International Tibet Network (2017), "Chinese Leaders – Xi Zhongxun", Chinese leaders.org, Accessed 13 August 2017, available at <http://chinese-leaders.org/xi-zhongxun/>

¹¹ Ibid

¹² Ibid

¹³ Lim, Benjamin Kang and Frank Jack Daniel (2012), "Does China's next leader have a soft spot for Tibet?" Reuters. September 1, 2012, Accessed 6 August 2017, available at <http://in.reuters.com/article/china-tibet-xi-jinping-idINDEE88002I20120901>

¹⁴ Ibid.

¹⁵ Voice of America (2012), "Five Tibetans Self Immolate Today Across Tibetan Regions", November 7, 2012, Accessed October 6, 2016, available at <http://www.voatibetanenglish.com/a/1541162.html>

¹⁶ Wooser, Tsering (2016), "Why are Tibetans setting themselves on fire?" The New York Review of Books, January 11, 2016. Accessed 6 August 2017, available at <http://www.nybooks.com/daily/2016/01/11/why-are-tibetans-self-immolating/>

¹⁷ Ibid.

The Chinese state responded to the protests with a wave of oppressive measures that, according to the writer Woeser has led to Tibet ‘transforming into an open-air prison patrolled by omnipresent armed military police, armoured personnel carriers, and surveillance cameras.¹⁸ The state also blamed the protestors for all the oppressive actions that followed¹⁹, justifying it through the rioting and arson committed by Tibetans in Lhasa on March 14, 2008. Moreover, for China, the 2008 protests had a significant political impact as it was the year when Beijing hosted the Olympics. These protests were seen as a ploy to humiliate China ahead of the games. They were termed as instigated by foreigners.²⁰ The Olympic torch relay in various countries was further obstructed by Tibetans and supporters of the Tibetan cause, leading to further humiliation. For China, the Olympics were the perfect opportunity to display its emergence as a world power. However, the protests marred this event. The Tibetans and their supporters saw Beijing hosting Olympics as the perfect platform to amplify China’s poor human rights record in Tibet globally. China also wanted the Olympics to be a way to advertise to the world its ownership of the Tibetan plateau – hence they took the torch up Mount Everest and also adopted the Tibetan antelope as one of the mascots for the Games.²¹ For China, humiliation is a highly explosive term and is deeply etched in their national psyche. More than any other state, the PRC has been founded on the idea of overcoming the ‘century of humiliation, which they had suffered at the hands of the West and Japan. Furthermore, China’s deeply felt sense of historical injury and the ways it’s often thwarted efforts to gain acceptance among leading world powers have exacerbated such sentiments.²²

The torch relay of the 2008 Olympics covered 85,000 miles and made stops in 135 cities on five continents.²³ As mentioned earlier, it was met with intense protests against Beijing, but it also elicited equally or more emotional counter-demonstrations by Chinese living or studying overseas. As a result, a new tide of nationalism began encompassing not only the younger generation inside China but also well-educated nationals overseas.²⁴ The rising nationalistic sentiments are an essential factor that affects Chinese policies in Tibet.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Barnett, Robert (2009), “The Tibet Protests of Spring 2008 – Conflict between the Nation and the State”, *China Perspectives*. 6-23, 2009/3.

²¹ Wang, Lixiong and Shakya, Tsering (2009), “The Struggle for Tibet”. New York: Verso.

²² Schell, Orville (2008), “China: Humiliation and the Olympics”. The New York Review of Books, August 14, 2008, Accessed 12 August 2017, available at <http://www.nybooks.com/articles/2008/08/14/china-humiliation-the-olympics/>

²³ Zheng Wang (2012), “Never Forget National Humiliation – Historical Memory in Chinese Politics and Foreign Relations”, New York: Columbia University Press.

²⁴ Ibid.

Furthermore, organizing the Olympics in Beijing was given to Vice President Xi Jinping; hence, the turmoil before the Summer Games was very concerning. What is essential is the need to trace the reasons for the protests against Beijing hosting the Olympics and the March 2008 protests in Tibet, both of which are connected. While the Tibet question is primarily a question of ethnonationalism and a challenge to Chinese legitimacy, in Tibet, much of it is directly fuelled by the policies the party state formulated in its Party Congresses.

2. Tibet and the Sixteenth and Seventh Party Congress

The Sixteenth Party Congress assumes much significance for Tibet; hence we need to elaborate on it. The Congress took place in 2002 and led to the emergence of the fourth-generation leaders, who would be at the helm of affairs in China for a decade. Leading them was Hu Jintao, who was elected as the general secretary of the CPC Central Committee.²⁵ His elevation was vital as he had past connections to Tibet. Hu Jintao was a former party secretary of the Tibet Autonomous Region (TAR), the highest official in the region from 1988 to 1992, who oversaw the clampdown of martial law in Tibet from 1988-89. His handling of the situation in Tibet led to his meteoric rise. In addition, he is credited with implementing the policy he called “grasping with both hands” (still visible in Tibet today), combining economic development with a crackdown on separatism.²⁶ Serving in the Tibetan regions by Han Chinese party cadres is generally considered difficult due to the inhospitable weather as well as the sensitivity of the region. However, in many instances, a service in Tibet has provided CPC cadres with lucrative futures, especially those seen to be strengthening the rule of the party-state in the region. The following table lists party secretaries who served in Tibet since the 1960s.

²⁵ Xinhua (2002), “CPC Political Bureau Arranges for a Study of 16th Party Congress Spirit”. China.org.cn. November 17, 2002, Accessed 12 August 2017, available at http://en.people.cn/200211/17/eng20021117_106929.shtml

²⁶ The International Tibet Network (2017), “Chinese Leaders – Hu Jintao”, Chinese leaders.org, Accessed 13 August 2017, available at <http://chinese-leaders.org/xi-zhongxun/>

Zhang Guohua (Han)	1965-1967
Zhou Renshan (Han)	Acting Party Secretary in 1967
Zeng Yongya (Han)	1968-1971
Ren Rong (Han)	1971-1980
Yin Fatang (Han)	1980-1985
Wu Jinghua (Yi)	1985-1988
Hu Jintao (Han)	1988-1992
Chen Kuiyuan (Han)	1992-2000
Guo Jinlong (Han)	2000-2004
Yang Chuantang (Han)	2004-2005
Zhang Qingli (Han)	2005-2011
Chen Quanguo (Han)	2011- 2016
Wu Yingjie (Han)	2016 onwards

Coming back to the Sixteenth Party Congress, it hailed the important thought of the "Three Representatives" as the soul and historical contribution of the Congress. This thought was formulated by Jiang Zemin, who remained the chairman of the Central Military Commission, thus not divulging full power to Hu. Jiang Zemin's speech to the attendees of the National Congress provided the direction in which China would go under the CPC. He stressed the need to 'keep pace with the times, build a well-off society in an all-round way, speed up socialist modernization and work hard to create a new situation in building socialism with Chinese characteristics. Furthermore, the Party as the vanguard would 'unite with and lead the Chinese people of all ethnic groups in accomplishing the three major historical tasks: to propel the modernization drive, to achieve national reunification and to safeguard world peace and promote common development, and in bringing about the great rejuvenation of the Chinese nation on its road to socialism with Chinese characteristics.²⁷

This was keeping in line with Deng's line, which brought about the 'reform and opening up in late 1970s China. There was a stress on economic modernization and improvement in the people's material wealth. These platforms are essential modes of gaining legitimacy by the PRC party state, especially among its ethnic minorities. However,

²⁷ Xinhua (2002), "CPC Political Bureau Arranges for a Study of 16th Party Congress Spirit". China.org.cn. November 17, 2002, Accessed 12 August 2017, available at http://en.people.cn/200211/17/eng20021117_106929.shtml

till the late 1990s, rapid modernization was concentrated in the eastern coastal regions of China, thus leading to a lopsided development, which posed a threat to China's social stability. In addition, there was much regional and spatial inequality in China.²⁸ This was to be rectified through the “Open up the west campaign”, whereby ‘priority to infrastructure and ecological environment improvement’²⁹ would be given. Emphasis was also laid on the development of ‘industries with local advantages and propel the growth of key areas and train and make the best use of all human resources.

Under this, the state provided the western regions with greater support in investment projects, tax policies and transfer payments. It gradually built up long-term and stable sources of funds for its development, improved the investment environment, and guided foreign investment and domestic capital toward that region. Moreover, the state also wanted people in the ethnic area to emancipate their minds, enhance their self-development capabilities and explore a new path to accelerated development in reform and opening up.³⁰ In Tibet, this was seen with the completion of the Beijing-Lhasa railway that would open up the region for further investment and tourism. There was also rapid state-led growth in the Tibetan regions, which was brought through infusing development with massive subsidies. In 2002, the region's average economic growth rate reached 11 percent, higher than the national average.³¹ According to Ragdi(Ch:Raidi), the then deputy party secretary of TAR, the central government had allocated 65 billion Yuan to develop the infrastructure and other undertakings in the region.

Moreover, 73 counties in Tibet had established sister-city relationships with counterparts in other parts of the country, with 15 large and medium-sized enterprises providing aid to Tibet.³² This aid came in the form of investments as well as technical manpower. The Aid Tibet project was started in the late 1990s and formed an important platform for Chinese legitimacy in Tibet, one that continues till the present.

The Seventeenth Party Congress, held from 15-21 October 2007, reaffirmed the same line propounded in the earlier congresses. There was, however, the adoption of the idea of ‘The Scientific Outlook on Development’ as propounded by Hu Jintao. Furthermore, the

²⁸ The Economist (2001), “To each according to his abilities – Market reforms means that China is becoming more unequal”, The Economist, May 31, 2001, Accessed 13 August 2017, available at <http://www.economist.com/node/639652>

²⁹ Xinhua (2002), “CPC Political Bureau Arranges for a Study of 16th Party Congress Spirit”, November 17, 2002, Accessed 12 August 2017, available at http://en.people.cn/200211/17/eng20021117_106929.shtml

³⁰ Ibid

³¹ Guo Xiaohong (2002),“All social undertakings flourish in Tibet”, China.org.cn. November 13, 2002, Accessed 13 August 2017, available at <http://www.china.org.cn/english/government/48760.htm>.

³² Ibid

Scientific Outlook on Development to build a ‘socialist harmonious society’ was enshrined in the general program of the Party Constitution, which defines it as “a scientific theory that is in the same line as Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory and the important thought of Three Represents”.³³ Under this, there was an attempt by the Party to balance urban and rural development, development among regions, economic and social development, relations between man and nature, and domestic development and opening to the outside world, adjust the economic structure, and transform the pattern of economic development”. With regard to the ethnic minority regions, the Party would help “ethnic minorities and ethnic autonomous areas with their economic, cultural and social development, and ensures that all ethnic groups work together for common prosperity and development”.³⁴ For the first time there was also the adding of the idea of the Party striving “to fully implement its basic principle for work related to religious affairs, and rally religious believers in making contributions to economic and social development”.³⁵

These two points had repercussions on the Tibet Question as the first point stressed the need to carry forward socialist modernization in the minority areas, including the Tibetan areas. With regard to this, Hu Jintao proposed a ‘leap frog’ development and lasting stability as the key to the work in Tibet.³⁶ A few months before the Seventeenth Party Congress, in July 2007, in a major diplomatic move, the government in China passed a law on reincarnation - Order No. 5 of China’s State Administration of Religious Affairs, Management Measures for the Reincarnation of ‘Living Buddhas’ in Tibetan Buddhism -- which required all reincarnate lamas to be approved by the state.³⁷ Through this, the party-state is seen directly interfering with the core belief of Tibetan Buddhism and attempting to curb the power of the Dalai Lama. In 2006, the party-state organized a World Buddhist Forum in Hangzhou for the first time, to which the Chinese-appointed Panchen Lama Gyaltsen Norbu was invited.³⁸ The party state’s mention of involving itself in work related to religious affairs in its Seventeenth Party Congress arose due to the growing popularity of religious belief in communist China. While they wanted to reduce the influence of the Dalai Lama, which was profound among Tibetans, their need to interfere in

³³ Xinhua (2007), “CPC publishes key policy changes in Party Constitution”, China.org.cn, October 26. 2007, Accessed 13 August 2017, available at <http://www.china.org.cn/english/news/229718.htm>

³⁴ Ibid

³⁵ Ibid

³⁶ Bhattacharya, Abanti (2010), “As China prepares for post Dalai Lama Tibet, what is India to do with the Tibetan Exiles?”, IDSA Comment. March 25, 2010, Accessed 13 August 2017.

http://www.idsaindia.org/idsacomments/AsChinapreparesforpost-DalaiLamaTibetwhatisIndiatodowiththeTibetanExiles_abhattacharya_250310

³⁷ Ibid

³⁸ Ibid

Tibetan Buddhism also arose due to the escape of the Seventeenth Karmapa in early 2000 and 1998 by Arjia Rinpoche, a high-profile abbot of the Kumbum monastery in current day Qinghai. These reincarnate were initially groomed by the party-state and installed in important state administration positions.

In 2007 Xinhua mentioned how much the Tibetans had welcomed the new legislation on reincarnation and religion being discussed and incorporated in the Seventeenth Party Congress. According to Zukhang Thubten Khedup, the president of the Tibetan branch of the Buddhist Association of China, the CPC's tenet of building socialism with Chinese characteristics, featuring prosperity, democracy, cultural advancement and harmony, reflect the shared aspirations of Tibet's religious faithful.³⁹ The article further adds that at least 600 Tibetan Buddhist faithful are working at local legislatures, political advisory bodies, administrations of religious affairs and state-owned businesses and institutions.⁴⁰ Hence we see the party state attempting to control and monitor the religious practices of the Tibetans. Along with this, the Tibetans were also given social welfare schemes, which included the "three guarantees" policy of providing food, shelter and education, which from 2011 onwards was extended to rural and pastoral areas. Free education is considered to bring immense benefits. Social insurance in the form of rural pensions and urban allowances has been provided, with a total covering of medical insurance for all, free treatment services, and free medical records for residents above the age of forty-five. Free skills training for both urban and rural populations is provided as a measure to keep the unemployed family figure at nil, and the general unemployment rate has been lower than 4 percent for many years.⁴¹ There has also been the implementation of housing projects for farmers and herders, especially through the sedentarisation of nomads. Since 2009, the Party-State contends that it has resolved a series of problems for people by providing facilities such as life support to the farmers who had lost their land and free transport for students and the elderly. The elderly have also been the recipients of the age-old insurance schemes that had covered almost 2.4 million individuals by the end of 2012.⁴²

The TAR People's government had increased the subsidies for twelve people's

³⁹ Xinhua(2007). "Religion mentioned in CPC Constitution". China Daily. October 22, 2007, Accessed 13 August 2017. http://www.chinadaily.com.cn/china/2007-10/22/content_6194537.htm

⁴⁰ Ibid.

⁴¹ State Grid News (2012), "Brightness shines all over Tibetan Plateau". State Grid Corporation of China, December 24, 2012, Accessed October 27, 2016, available at <http://www.sgcc.com.cn/ywlm/mediacenter/corporatenews/11/285789.shtml>.

⁴² Chinatibetnews.cn (2013) "Preferential policies bring happiness to Tibetans", China Tibet News March 3, 2013, Accessed October 27, 2016, available at http://english.chinatibetnews.com/news/2013-03/26/content_1200848.htm.

livelihood-related programs, including education, annuities for retirees and fiscal subsidies on health care in pastoral areas, which would benefit 90 percent of the Tibetan population. However, many of these were corrective measures adopted from 2010 onwards, as the vast bulk of the budget was directed to the secondary and tertiary sectors before it. Only 5 percent was meant for agricultural development as Beijing had prioritized industrialization over agriculture. Ironically, 85 percent of the population in Tibet is dependent on farming.⁴³ There was, as mentioned earlier, overdependence on state subsidies, with the tertiary sector much dependent on it. All the major infrastructural projects – railways, roads, and power systems- depended on central government funds. This chronic dependence on the centre is one of the fundamental ways through which the party-state is seen to be controlling Tibet.⁴⁴ Most of these policies were seen to have emerged in the party congresses as well as the party plenums that followed. There was also the policy of attracting Han and Hui Chinese labourers to Tibet who was involved in the region's numerous infrastructural projects. Along with the labour force, a policy of sending technicians, teachers and professionals from different parts of China was implemented under the aid Tibet projects. Through this, the transfer of skills and expertise to the local population happened, which does not seem to take place in reality.

While economic growth in the Tibetan regions is phenomenal and Tibetans are seen to be receiving state welfare, something most Han Chinese can only dream of, it has led to overdependence on the state, as mentioned. Also, as Fischer notes, the rapid state-led growth has led to the socio-economic marginalization of the majority of Tibetans. Much of this is due to spatial and inter-ethnic inequality in the Tibetan regions. Most Tibetans are based in rural areas and cannot receive the benefits of economic growth concentrated in the urban. Furthermore, these rural Tibetans cannot compete with the migrant Chinese in the urban areas of Tibet. The Han and Hui immigrants possess much higher levels of education and social linkages that enable them to grab the economic opportunities in Tibet.⁴⁵ The Chinese migrants are also endowed with higher *suzhi* (素質 : high cultural quality), which gives them an advantage over the Tibetans. However, they are considered to be of lower quality due to poor education, low development and feudal religious practices, which can be overcome through aid from the Han Chinese. The economic policy implemented by the party-state in Tibet is the central plank on which it derives legitimacy among the Tibetans. However, much of the economic benefits accrued through the region's state-led growth are

⁴³ Wang Lixiong and Shakya, Tsering(2009), "The Struggle for Tibet", New York: Verso.

⁴⁴ Ibid.

⁴⁵ Fischer, Andrew Martin (2005), "State Growth and Social Exclusion in Tibet", Challenges of Recent Economic Growth, Copenhagen: NIAS Press.

seen to be diverted. While this is obvious with the migrants who return to their native provinces, the boomerang of funds also takes place through the numerous aid Tibet projects which are seen to be diverting the capital earned in Tibet back to the SOEs (State Owned Enterprises), provinces or municipalities. As mentioned earlier, the economic dynamism of discrimination coupled with socio-religious factors (interference in religion etc.) led to Tibetans protesting in 2008.

While the immediate cause for the pan Tibet 2008 protests was the Dalai Lama's disappointment over the talks' failure between the party-state and his envoys, the deep-seated resentment among Tibetans over their economic marginalization and the curbing of their socio-cultural freedom by the state was also important factors. The party-state imposed severe restrictions on Tibetans in response to the protests and the subsequent spate of self-immolations. Large numbers of Tibetan cities are under heavy security clampdown, as witnessed by Han Chinese tourists who, through their social media messages, have highlighted the disparate security conditions in Tibet, referring to the militarization of the region and its people. These messages on the Chinese social messaging site Weibo counter the portrayal by the CCP of Tibetans being happy and content in China.⁴⁶ The Gongmeng Law Research Centre, based in Beijing, conducted a month-long survey of the Tibetan areas in the aftermath of the 2008 protests. The Chinese think tank was established by Xu Zhiyong, Teng Biao, Yu Jiang and Zhang Xingshui from Beijing University in 2003. Also known as the Open Constitution Initiative, it provided legal advice to victims of official injustice.⁴⁷ Their findings reveal the failure of China's developmental practices in Tibet, which had directly fanned the protests in Tibetan regions.⁴⁸ The report describes how Tibetans have been marginalized and how Han Chinese took advantage of the private sector through their ethnicity and language skills. The report also noted the emergence of a "new aristocracy" of corrupt and abusive government officials in Tibet who have systematically portrayed community discontent as "separatism". In addition, the report seems to question the level of prosperity of Tibetans brought about by the Party State.⁴⁹

⁴⁶ International Campaign for Tibet (2017) ,“Has Life here always been like This – Chinese Microbloggers reveal systematic militarisation in Tibet”, International Camapaign for Tibet, Accessed 14 August 2017, available at <https://www.savetibet.org/newsroom/has-life-here-always-been-like-this/>

⁴⁷ The Economist (2009) “Open Constitution Closed – The State Cracks Down on Civil Society”, The Economist, July 23, 2009, Accessed October 6, 2016, available at <http://www.economist.com/node/14098751>.

⁴⁸ Foolsmountainblog.com (2009), “Chinese Think Tank Investigation Report of 3.14 Incident in Tibet”, China Digital Times, May 20, 2009, Accessed October 6, 2016, available at <http://chinadigitaltimes.net/2009/05/chinese-think-tank-investigation-report-of-314-incident-in-tibet/>.

⁴⁹ Ibid.

3. The Eighteenth Party Congress and Tibet

As mentioned earlier, a number of self-immolations took place on the eve of the Eighteenth Party Congress. In response to such protests by Tibetans, the CCP leaders and other authorities stress the point of Tibet being a “happy land”, which has been brought by the Party through the economic development of the region. According to Che Dalha, the then Communist Party Secretary of Lhasa, the self-immolations in Lhasa were committed by outsiders. As a result, the state would monitor the entry of outsiders into Lhasa.⁵⁰ The Eighteenth Party Congress was termed historically significant by Hu Jintao as China had entered the decisive stage of completing the building of a moderately prosperous society in all respects⁵¹. In keeping the tone with the previous congresses, the Eighteenth Party Congress also affirmed the path of socialism with Chinese characteristics and Scientific Outlook on Development and put it into practice by following the guidance of Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory, and the important thought of Three Represent.⁵² In addition, there was an emphasis on the need to concentrate the mind of the Party, the nation and people of all ethnic backgrounds on the Congress’s spirit, which meant the need to accelerate economic modernization in China.⁵³ Unlike the previous congresses, the Eighteenth Party Congress had a decrease in the number of Tibetans, with Pema Thinley, the then head of the Tibet Autonomous Region Government and a member of the official Chinese delegation during the eighth round of discussions with the Dalai Lama’s envoys in 2008 being the only one. The previous congresses had at least two Tibetans among the 200-plus members of the Committee.⁵⁴

Newly appointed General Secretary Xi Jinping remarked on growing problems. Still, concerning ethnic minorities, he pointed out that “Chinese people have opened up a good and beautiful home where all ethnic groups live in harmony and fostered an excellent culture that never fades”. Thus the policies implemented in the ethnic minority regions were to continue without significant alterations. Under this, the Tibet Autonomous Region

⁵⁰ Beech, Hannah (2012), “As Tibetans Burn Themselves to protest Chinese rule, Communists in Beijing stress happiness in Tibet”, Time, November 10, 2012, Accessed October 6, 2016, available at <http://world.time.com/2012/11/10/as-tibetans-burn-themselves-to-protest-chinese-rule-communists-in-beijing-stress-happiness-in-tibet/>.

⁵¹ China.org.cn (2012), “Report of Hu Jintao to the 18th CPC National Congress”, November 16, 2012, Accessed 14 August 2017, available at http://www.china.org.cn/china/18th_cpc_congress/2012-11/16/content_27137540.htm

⁵² Ibid.

⁵³ Tsering, K. Bhuchung (2012), “China’s 18th Party Congress and Tibet”, Tibetan Political Review, November 16, 2012, Accessed 14 August 2017, available at <https://sites.google.com/site/tibetanpoliticalreview/articles/china%20%99s18thpartycongressandtibet>

⁵⁴ Ibid.

has made tremendous progress in its leap-frog development and long-term stability since the 18th CPC National Congress. Since the 18th Party Congress, many projects have been conducted for the well-being of the Tibetan people, including poverty reduction, job creation, promotion of cultural undertakings and an increase in people's incomes. Also, in August 2013, 5,235 job fairs were held in Tibet by various provinces or cities for Tibetan college graduates, and 300 students were hired. Job training was also seen to be given by Tibet's local government. During the first half of 2013, 9,000 employees trained in painting *Thangka*, a traditional Tibetan art, performing singing and dancing, construction in the rural or pastoral areas, and assisting 309,000 farmers and herders working in cities earning a total income of 1.06 billion yuan.⁵⁵

The Tibet local government has made great efforts to alleviate poverty in the rural and pastoral areas through special policies in industrial development, infrastructure improvement, water control, and construction of transportation, education and public health facilities on a one-on-one basis. Through the deployment of statistics, the state is seen to emphasize the immense economic growth achieved in Tibet. For instance, the population of low-income people will decrease from 585,000 in 2012 to 457,000, and the proportion of low-income people to the overall population of farmers and herders will go down from 23.9 percent to 18.73 percent, which will cover 370,000 people in 77,000 households.⁵⁶ In 2013, Tibet was termed as ranking first in China in its growth rate of the total investment volume of 500-million-yuan fixed assets, the industrial value added of scale economies, the total sales volume of consumer goods, the average annual disposable income of urban residents, scoring quite an achievement in Tibet's economic development. Furthermore, infrastructure construction projects such as the railway from Lhasa to Shigatse, the highway from Lhasa to east Tibet's Nyingchi, the heating system in Lhasa, the Pondo water control project as well as the newly opened Medog Highway have enhanced the economic growth with a total investment volume in fixed assets of 65.5 billion yuan, risen by 31.9 percent year on year in the first three quarters of this year.⁵⁷ These achievements result from the policies implemented by the party-state in its Eighteenth party congress. This is also well elaborated with the idea of structural adjustment to specific sections of the economy, which had been emphasized in the third plenum of the Eighteenth Party Congress and carried forward in Tibet in the financial sector, specifically, the increasing micro-credit loans to the small

⁵⁵ China Tibet Online (2013), "Tibet to greet 3rd Session of 18th Party Congress with Speeded Development", Tibet Online, November 11, 2013, Accessed 14 August 2017 , available at <http://en.tibetol.cn/04/201311/t1363501.htm>

⁵⁶ Ibid.

⁵⁷ Ibid.

enterprises outside the farming and pastoral areas. By the end of September, the total balance of loans of small and medium-sized enterprises had amounted to 37.18 billion yuan, up by 16.79 billion Yuan over the beginning of this year, an 82.34-per cent increase.⁵⁸

These figures are meant to reflect the staggering growth in Tibet brought about by the CPC and through which the party-state is seen garnering legitimacy in Tibet. However, the legitimacy of the party-state is seen to be challenged by Tibetans through political demonstrations as well as through the act of self-immolations. Even after 2012, we see a series of protests inside Tibet and a continuation of the front of burning oneself by Tibetans. In 2013, widespread protests occurred in Driru County, Nagchu prefecture, in TAR. The region did not have any recent history of resistance which was an issue of concern to the Chinese authorities. The protests were due to both socio-cultural and economic reasons. The critical trigger was environmental exploitation by Chinese companies, particularly of the sacred Naglha Dzamba Mountain. Another trigger has been the local government's attempt to impose political re-education on the area and, in particular, to force Tibetans to fly Chinese flags on the roofs of their houses in advance of Chinese National Day. The imposition of Chinese flags was the final straw, and, towards the end of September 2013, there were large-scale protests. The flags were also dumped in the river. The authorities overreacted and brought in armed security forces. The area was already tense due to the political re-education campaign and the intensity of the Chinese presence, but after this crackdown, the tension rose considerably. Over the next couple of weeks, there was a succession of incidents with protests against the crackdown triggering further repression, leading to further protest and more repression.⁵⁹

Hence, many protests occur as a response to multi-dimensional causes, which in many cases are a combination of socio-political and economic grievances. This is also evident from the case of self-immolations by Tibetans inside Tibet. Self-immolation as an act of resistance in Tibet started in 2009, as mentioned earlier, and continues to date. This is seen with a young Tibetan monk named Jamyang Losel from Qinghai, who set fire to himself and died on May 19, 2017, becoming the latest self-immolator inside Tibet.⁶⁰ The total number of self-immolations inside Tibet has been 150, and ten have occurred outside Tibet,

⁵⁸ Ibid.

⁵⁹ Tibet Watch (2014), "Driru County: The New Hub of Tibetan Resistance", Tibet Watch Thematic Report, 2014. Accessed 15 August 2017, available at http://www.tibetwatch.org/uploads/2/4/3/4/24348968/driru_county_thematic_report.pdf

⁶⁰ International Campaign for Tibet (ICT-2017), "Young Tibetan monk becomes the 150th self immolator in Tibet", Savetibet.org, May 23, 2017, Accessed 15 August 2017, available at <https://www.savetibet.org/young-tibetan-monk-becomes-the-150th-self-immolator-in-tibet/>

mainly in India.⁶¹ In the month of the Eighteenth Party Congress, in November 2012, maximum self-immolations (28) took place in that particular year. Frequent self-immolations around the Party Congress can be understood as seeking to induce a new generation of Chinese leaders to change their policy on Tibet, like seeing self-immolations as actions pushing for change.⁶² Through the last-word analysis of the self-immolators done by Wang Lixiong, it is clear that most self-immolators saw it as an action against the party state. Almost 54 percent of the self-immolators saw it as a more significant act that would galvanize change in Tibet. This is seen in the last words of Kelsang Jinpa, from Kyangtsa township, Ngaba Tibetan and Qiang Autonomous Prefecture in Sichuan⁶³, who self-immolated for equality of nationalities, freedom of Tibet, promotion of the Tibetan language, and for His Holiness the Dalai Lama to return.⁶⁴ Another self-immolator, Lhamo Kyab, according to Wang Lixiong, had inquired about the Eighteenth Party Congress before his act of self-immolation. The self-immolations are seen as a movement initiated by Tibetans inside Tibet to protest against the legitimacy of the party-state in Tibet. The very act of self-immolation is challenging the narrative of the CPC in Tibet as the narrative for the Chinese state in Tibet through which they derive legitimacy is bringing prosperity to the lives of the local population.

With the adoption of Market Socialism and the aim to build a moderately prosperous society among all in China by 2020, the idea of raising the population's living standards by the party-state through increasing employment opportunities, narrowing income gaps and providing social security to all people assumes importance.⁶⁵ Hence economic development becomes the categorical imperative for a modern state like PRC, which is also attested through the emphasis made on it in the party congresses. While development as a value is seen to be desired by much of society, it is also an important mode through which there is a deep intrusion of the state into the lives of the citizens. This is seen to be much more prevalent in Tibet. As mentioned earlier, the state-led development and state subsidies enforce a degree of indebtedness on Tibetans. Development becomes a tool through which the party-state attempts to create governable subjects and spaces inside Tibet. Hence, on a micro level, the party-state is seen as governing the population and attempting to derive

⁶¹ International Campaign For Tibet, "Self Immolation Fact Sheet", available at Self-immolations - International Campaign for Tibet ([savetibet.org](http://www.savetibet.org))

⁶² Wang Lixiong (2012), "Last words analysis – Why Tibetans Self immolate? ,Phayul.com, December 27, 2012, Accessed 15 August 2017, accessed on <http://www.phayul.com/news/article.aspx?id=32726>.

⁶³ International Campaign for Tibet (ICT- 2017), "Self immolations by Tibetans", August 2, 2017, Accessed 14 August 2017, available at <https://www.savetibet.org/resources/fact-sheets/self-immolations-by-tibetans/>

⁶⁴ Ibid.

⁶⁵ Hu, Fred (2012) "Market Economy – what's in a name?" February 19, 2012. Accessed 14 August 2017, available at http://www.china.org.cn/opinion/2012-02/19/content_24663205.htm

consent by bringing the gift of development to the people. Growth and economic prosperity can be linked to happiness and to life itself, which is more the case in Tibet as the CPC is seen to be pumping social welfare in the region, which is seen to be much absent in other provinces. By bringing ‘life’ to the corporeal self of the Tibetans, the party-state presumes to generate legitimacy in Tibet. Thus, sovereignty is seen to be exercised at a micro level by the party-state in Tibet.

Hence, self-immolations act as a strong challenge to the CPC in Tibet as through an act of self-immolation, the individual is seen to be denying sovereignty at the micro level to the party state. They are seen to be reclaiming their self over their corporeality. Hence, the act of dying becomes the most potent form of resistance against the party-state, which is deriving legitimacy through championing ‘life’. In response to the self-immolations, the state has criminalized the act and punished the immolators' community or family members. In the aftermath of the Eighteenth Party Congress, the party-state initiated new security mechanisms in TAR. While economic welfarism is seen as the benign face of state intrusion at the micro level, implementing the grid management system in TAR can be seen as a virulent intrusion at the grassroots level. Implemented in 2013, the grid system is designed to improve public access to basic services. Grid system also significantly increases surveillance and monitoring, particularly of “special groups” in the region – former prisoners and those who have returned from the exile community in India, among others. Expansion of the grid system, alongside the construction across Tibet of over 600 “convenience police-posts” with high-tech equipment to monitor daily life and increasingly active volunteer security groups known as “Red Armband Patrols” in 2012, led to the pervasiveness of surveillance across the region.⁶⁶ It was specially created to enhance ‘social stability maintenance by putting a dragnet into place to maintain stability. On February 14, 2013, Yu Zhengsheng, a Standing Committee member of the Political Bureau of the CPC Central Committee and the top official in China in charge of nationality policy, confirmed that the system should be put into effect throughout the region to form “nets in the sky and traps on the ground,” an indication that the system is primarily designed for surveillance and control.⁶⁷

Along with the security function of the grid system, the officials involved in it are also involved in delivering social services, such as providing employment, medical care, and

⁶⁶ Human Rights Watch (2013), “China: Alarming New Surveillance, Security in Tibet”, HRW, March 20, 2013, Accessed 15 August 2017, available at <https://www.hrw.org/news/2013/03/20/china-alarming-new-surveillance-security-tibet>

⁶⁷ Ibid

schooling for the children of migrants and residents, saying they are “to create conditions of effective social management and participation in a harmonious society and a good situation for all.”⁶⁸ Under this, each “neighbourhood” or “community” area in towns will be divided into three or more grid units. At least eight pilot units were set up in Lhasa, the regional capital, in April 2012, and in September were declared to have “achieved notable results.” On October 9, the regional party secretary stated that because “the Lhasa practice has fully proved the effectiveness of implementing grid management to strengthen and innovate social management,” the system should be made universal in “the towns, rural areas, and temples” of the TAR.⁶⁹ However, the grid system is seen as deeply intrusive in the lives of the locals and acts as a panopticon, transforming the region into a huge open prison where the minute details of everyday life are controlled.

4. The Nineteenth Party Congress -Old Wine in Old Bottle

The Nineteenth Party Congress took place from 18 – 25 October 2017 in Beijing, where the top-tier leadership led by Xi Jinping has remained the same. The Politburo Standing Committee has seven members, most of whom are Xi loyalists. There has also been the inclusion of Xi Jinping Thoughts on Socialism with Chinese Characteristics for a New Era in the Party Constitution. In 2016, he was elevated as the ‘core leader’, putting him in the same revered ranks as Mao Zedong and Deng Xiaoping.⁷⁰ Under his leadership, China launched a severe nationwide anti-corruption campaign that curtailed corrupt practices of ‘tigers’ as well as flies. Xi Jinping also formulated the idea of the Chinese dream of the great renewal of the nation as well as realizing this dream by closely depending on the people and bringing benefits to them.⁷¹ He is also the architect of the Belt and Road initiative, a massive trade and multilateral infrastructural arrangement that China has proposed vis-a-vis other nations. Through such policies, the present leadership of China are seen to be making strong strides for the PRC to emerge as a superpower. Under Xi Jinping, China is termed as moving away from the dictum of Deng Xiaoping, who had proposed the idea of ‘hide your capabilities and bide your time’.

Furthermore, the party-state is seen to be adopting a much more aggressive stand

⁶⁸ Ibid

⁶⁹ Ibid.

⁷⁰ Buckley, Chris. 2016. “China’s Communist Party Declares Xi Jinping ‘Core’ Leader”, The New York Times, October 27.2016, accessed 15 August 2017, available at <https://www.nytimes.com/2016/10/28/world/asia/xi-jinping-china.html>

⁷¹ Xi Jinping (2016), “Chinese Dream”, Xinhua, Accessed 15 August 2017, available at <http://www.xinhuanet.com/english/special/chinesedream/>

regarding territorial disputes, whether in the South China Sea or with India. Furthermore, with the United States seen to be retreating from the process of globalization, the Chinese, under the leadership of Xi Jinping and the CPC, are seen to be carrying forward the globalization project. This was witnessed in his speech at the World Economic Forum in Davos in 2017.⁷² Hence, with a much stronger China under stable leadership, there is always the idea that there will be a change in its policies in Tibet.

During the 19th Party Congress, Xi Jinping's report had eight references to religion/religious work, wherein he vowed that there has to be full implementation of the Party's policies on religious affairs, through which there should be an upholding of the principle that religions in China must be Chinese in orientation and also the Party would provide active guidance to religions to adapt themselves to socialist society. Also, under Xi and the 19th Party Congress, more authority was vested in the UWFD, the body that handles nationality, religious and overseas Chinese affairs. Hence Tibetan affairs are seen to be under the banner of the same office.⁷³ Furthermore, on 21 October 2017, a press conference was convened to elaborate on the work of the United Front and the Party's International Exchanges, where the deputy minister of the UFWD, Zhang Yijiong, who had earlier served in Tibet, briefed the press. He terms the United Front as the magic weapon to win the Party's cause in minority areas. While his press statement reflects on the Party's work among the national minorities since the 18th Party Congress that elaborates on unity and economic development, he also elaborates on how religions have been Sinicized in China by infusing them with a socialist core value.⁷⁴

Hence religions in China were to be guided to adapt to a socialist society, and this guidance would come from the CPC. With regard to Tibetan Buddhism, the deputy director mentioned that the Tibetan faith was being guided in the direction of sinicization. Although Tibetan Buddhism had influences from neighbouring Buddhist countries, it was a religion with Chinese characteristics.⁷⁵ The UFWD also had an increase in its personnel strength

⁷² Anderlini, Jamil, Wang Feng and Tom Mitchell (2017), "Xi Jinping delivers robust defense of globalisation at Davos", Financial Times, January 2017, Accessed 15 August 2017, available at <https://www.ft.com/content/67ec2ec0-dca2-11e6-9d7c-be108f1c1dce>

⁷³ Chonzom, Tsering (2017), "Tibet, the 19th Party Congress and China's United Front Work", November 1, 2017, Accessed 15 November 2017, available at <http://tibet.net/2017/11/tibet-the-19th-party-congress-and-chinas-united-front-work/>

⁷⁴ People.cn (2017), "October 21 Press Conference on "the work of the United Front and the Party's International Exchanges", October 21, 2017, Accessed on 15 November 2017, available at http://live01.people.com.cn/zhibo/Myapp/Html/Member/html/201710/9_103964_59e9a30d58bdc_quan.html

⁷⁵ Gao, Charlotte (2017), "Chinese Communist Party vows to Sinicize Religions in China". October 24, 2017, Accessed 15 November 2017, available at <https://thediplomat.com/2017/10/chinese-communist-party-vows-to-sinicize-religions-in-china/>

and also a much larger budget. The Seventh Bureau has been enlarged, which looks after matters related to Tibet and Tibetans.⁷⁶ In his report to the Nineteenth Party Congress, President Xi Jinping elaborated on the need to unite the people of all ethnic groups and lead them to build a moderately prosperous society.⁷⁷ There is also a stress on a need for further exchanges and interactions among different ethnic groups and that the Party would work jointly for common prosperity and economic development. In his speech, he mentions the need for religions to be Chinese in orientation and that the Party would guide beliefs.⁷⁸ Xi's report has substantial implications for Tibet as it is directed towards continuing the earlier policies being followed, a mixture of development and state repression. Even during the Nineteenth Party Congress, the TAR was out of bounds for foreign visitors, strongly reflecting the securitization policy followed by the Chinese state.

Drawing our attention next to elite politics and the Nineteenth Party Congress, there were 33 Tibetan delegates, of which 17 were from TAR, including seven women. There were five from Qinghai, three from Sichuan and one from Yunnan and Gansu Tibetan areas. There are also three Tibetans from the PLA contingent and a single Tibetan from the central party organs, and one from the national state institution.⁷⁹ Much of the delegations are chosen through elections, but in the case of Tibet and Xinjiang, the non-competitive election was exercised.⁸⁰ There has also been an increased representation of the TAR in the CPC CC, with the number of ethnic Tibetans increasing by one, with Qi Zhala (Chodrak) and Lobsang Gyaltsen being made full members of the Nineteenth Central Committee.⁸¹ Apart from ethnic Tibetans, a number of cadres in the new 19th CPC Central Committee Secretariat and Politburo, such as Wang Huning, Zhang Qingli, Yang Xiaodu and Guo Shengkun, have served in Tibet. Also, the former TAR Party Secretary Chen Quanguo, who is currently the Party Secretary of Xinjiang and Sun Chunlan, the head of the UFWD, are members of the Politburo.⁸² Including these individuals also reaffirms a continuation of the earlier hardline policies in Tibet and toward the Dalai Lama.

⁷⁶ Ranade, Jayadeva (2017), "China's 19th Party Congress indicates no change in China's policy towards Tibet", October 31, 2017, Accessed 18 November 2017, available at <https://ccasindia.org/CCAS-19th%20CC-TIBET.pdf>.

⁷⁷ Xi Jinping (2017), "Secure a Decisive Victory in Building a Moderately Prosperous Society in All Respects and Strive for the Great Success of Socialism with Chinese Characteristics for a New Era", October 18, 2017, Accessed 16 November 2017, available at http://www.xinhuanet.com/english/download/Xi_Jinping's_report_at_19th_CPC_National_Congress.pdf http://www.xinhuanet.com/english/download/Xi_Jinping's_report_at_19th_CPC_National_Congress.pdf

⁷⁸ Ibid. 35

⁷⁹ Tsering, Bhuchung. K(2017), "China's 19th Party Congress and Tibetans". Accessed 17 November 2017, available at <https://weblog.savetibet.org/2017/10/chinas-19th-party-congress-and-tibetans/>

⁸⁰ Ibid.

⁸¹ Ranade, Jayadeva (2017)

⁸² Ibid.

While in the context of elite politics, the Nineteenth Party Congress is seen to be bringing minor changes in Tibetan politics in China, concerning the grass root policies, there will not be much of a transformation as there will be a continuation of earlier policies as formulated by the current as well as the previous leadership. This is seen through the policy of gaining legitimacy in the region through state-led economic development and emphasizing political repression. Hu Jintao's policy mentioned above of "grabbing by both hands" will seemingly continue in the Tibetan regions of China. This is also witnessed recently with a crackdown on 'illegal activity,' further persecuting any attempts at expressing the Tibetan identity. These efforts have been launched in the TAR to tighten security and ensure compliance with the Party-state before the important Party meeting in Beijing, which could be held as early as October. The official report mentions that further actions will be taken to "prevent problematic information distributed by Dalai Clique and other Western hostile forces and track down the online circulation of negative information, hyper-speculation and rumours".⁸³

5. Conclusion

The CPC sees itself as a party entrusted with the historical role of transforming the poor and backward old China into an increasingly prosperous and powerful new China, thus opening a completely new horizon for the great renewal of the Chinese nation.⁸⁴ The PRC can be deemed a nation-state in progress, similar to many other postcolonial nation-states. Hence for China, Tibet assumes great significance and is considered one of its "core issues". This is because the Tibet issue is deeply intertwined with matters of sovereignty, territoriality and nationhood for the PRC. Tibet is at the periphery of the Chinese nation – ethnically and geographically. It is populated by Tibetans, who have their own distinct culture, religion and separate history, which has led to issues in its incorporation within the body politic of the PRC. It is also at the geographical periphery of China, making it significant in terms of the nation-state's security. On the borders of China's Tibet, a dispute lingers with its southern neighbour, India.

These dynamics are seen to be influencing the policies of the party-state towards Tibet and its people. Much of these policies are driven by a desire to strengthen the CPC's control over Tibet and generate some form of legitimacy in the long run. As mentioned in the paper,

⁸³ Ibid.

⁸⁴ China.org.cn (2012), "Xi Jinping's Remarks to the press", November 16, 2012, Accessed 15 August 2017, available at http://www.china.org.cn/china/18th_cpc_congress/2012-11/16/content_27130032.htm

this is seen through state-led economic development. However, with the presence of a strong pro-Tibet exile community led by the charismatic Dalai Lama and with Tibetans inside Tibet resisting the Chinese state through several mechanisms, the policies and attitude of the party-state towards Tibet in the upcoming party congress will remain the same as before. Unlike other issues, Tibet forms the ‘residue’ of the past, an explosive mixture of history, ethnicity and religion, which is seen to resist the great renewal of the Chinese nation. During the 1980s, under Hu Yaobang, a more liberal atmosphere was brought to Tibet, which was halted due to the protests in Lhasa in the late 1980s that led to the imposition of martial law. From then till the present, there have been no attempts to reverse the policy and return to the Hu Yaobang period. While the exiled Tibetan leadership remain hopeful, especially with Xi Jinping, whose father had a soft corner for Tibet, such hope is quite misplaced in the current situation as China and Xi Jinping are seen to be continuing with their hardline approach toward Tibet.

Chapter Three

Desiring Leadership: The Tibetan Women's Association and Gender Advocacy

Dawa Lokyitsang

How did Tibetan women manifest leadership in exile after Tibet's invasion by China? From exile's very beginnings, the 14th Dalai Lama of Tibet has stressed the participation of *all Tibetans* in cultivating and preserving the Tibetan culture and cause. This emphasis has allowed Tibetan women to increase their involvement in broader politics concerning Tibet in exile and has resulted in women taking on political positions in the Tibetan government. A sphere of influence that was traditionally male-dominated. This is in part due to the Tibetan government in exile's (the Central Tibetan Administration or CTA onwards) longstanding fostering in both its male and female de facto citizens of a desire to rise to the level of "leadership" to lead the community, politicize Tibet and to serve the interest of the Tibetan community at large following China's complete of Tibet in 1959.

Leadership, throughout Tibetan history, has shifted through gendered terrains. In editors Janet Gyatso and Hanna Havnevik's *Women in Tibet*, they explore the lives of leading female figures throughout Tibetan history. The book details women who became recognized for their leading roles in arenas such as politics and spirituality (2005). In regions such as Kham, stories existed of armed women that led tribal men into wars over tribal feuds and territory. Women such as Tsering Drola, Khangsar Yangcan Kandrol, and Tonpon of upper Nyarong Gyari Chimi Drolma were known in the region as "The Three Devils of Yangchen Lama of Khangsar Tribe".¹ However, the women in these historical narratives were the exception, not the norm. Women in Gyatso and Havnevik's narratives were remarkable in defying the gendered norms of their time to shape their own spiritual and political paths. But their stories reveal that female political leader was neither resisted nor desired before the Chinese invasion throughout Tibetan history. This changed, however, with the invasion of Tibet. In exile, the need for all Tibetans to cultivate and preserve Tibet's spiritual, cultural and political heritage against the backdrop of China's occupation of Tibet allowed women new opportunities in shaping how the CTA envisioned *leadership*.

¹ Shakya, Tsering. 2014. Private conversation with Dr. Tsering Shakya who graciously shared information regarding the three female warriors of Kham from his private research notes.

In contemporary exile Tibetan understanding, leadership at its base involves individuals that achieve professionalism through education and aspire towards leadership by using those learned professional skills to serve the Tibetan society by engaging in communal empowerment and politicizing Tibet. Leadership in this context is achieved through an investment in one's education to access professional avenues that could empower the individual to become self-making so that they may contribute to the overall sustenance of the larger community. Such emphasis on education and economics afforded Tibetans the *flexibility* to survive and thrive in exile. According to anthropologist Carla Freeman, flexibility provided individuals with "the capacity to constantly retool, retrain, and respond to the shifting tides of the global marketplace" (2012, 88). While Freeman frames this flexibility as a "neoliberal mandate" due to "the shifting tides of the global marketplace," which has come to embody "middle-class experience" in Barbados; I frame Tibetan desire for "flexibility" on the "shifting tides" that the Chinese invasion brought to Tibetans who became refugees in Nepal and India. The need for flexibility and self-made subjectivities following exile in Nepal and India was not based on the desire for a "middle-class experience" but on the desire to survive, build community, and politicize Tibet in exile.

The rise of Tibetan women in prominent leadership positions in exile can be attributed to a genealogy of exile Tibetan women's roles in performing caring labor in the welfare of the community during the establishment of the refugee community in India and Nepal. This ethnography tracks how Tibetan women materialized leadership as a desired subjectivity in tandem with the Tibetan apparatus as avenues for meeting the crisis of China's invasion and exodus in exile. I track such developments and how they were gendered in this article by engaging the activities of the Tibetan women-led organization, the Tibetan Women's Association or TWA. This analysis considers how TWA modelled a type of leadership CTA desired through their initiatives in social welfare within the community and politicizing Tibet in the international arena. However, such desires diverge, as I show in this ethnography when TWA takes up the issue of domestic violence within the community. An issue CTA was largely silent on until recently due to the efforts of TWA and other Tibetan women across the diaspora. By focusing on TWA's recent history and its campaigns trajectory, I highlight how Tibetan women's participation in exile politics impacts how leadership is envisioned at the highest level. While this examples stress how TWA's participation advances women's interests and involvement as leaders in larger politics of the Tibetan community in exile, this article also ends by focusing on female Tibetan practitioners of Tibetan Buddhism whose indigenous Tibetan desires concerning spiritual

liberation, complicate notions of leadership that TWA and CTA both promote. While this ethnography highlights how leadership becomes mobilized by the Tibetan leadership to produce leaders who will build-community in exile and challenge China's colonial occupation of Tibet. This ethnography showcases women's participation in such frameworks of leadership and how their participation helps to both challenge and shape what it means to be a leader in the Tibetan community in exile today. By focusing on Tibetan women engaged in political, communal and spiritual discourse, this ethnography highlights the crucial role exile Tibetan women play in the evolving concept of leadership embodied among Tibetans in exile. It also highlights how leadership in the Tibetan exile community is constantly evolving due to the interventions and actions of its own community members.

1. Gendered Labour in the Early Period of Exile

After the Chinese invasion of Tibet in 1959, the Tibetan refugee collective required immense labour from its newly displaced population to re-establish a community in exile to ensure their survival as a people. With thousands of Tibetans escaping into Nepal and India, the Tibetan apparatus, specifically the Dalai Lama, his administrators, and wealthy aristocratic families, had no choice but to respond to the crisis as it unfurled swiftly. However, the division of labour and roles quickly became gendered. Elite men handled external work involving political advocacy and securing aid in the international arena. At the same time, the women busied themselves in the domestic arena as caregivers for orphaned Tibetan children at newly opened schools in exile by the Dalai Lama in order to secure the lives of children impacted by the Chinese invasion and the harsh conditions of exile. Women who took on such roles—such as the Dalai Lama's mother, Diki Tsering, his sisters Tsering Dolma and Jetsun Pema, and other aristocratic women, such as Rinchen Dolma Taring—are affectionately remembered today in the exile Tibetan society as exemplary leaders for tirelessly caring after Tibetan children orphaned during the early years of exile.



Picture 1: His Holiness the 14th Dalai Lama at the centre, his sister Tsering Dolma to his right with a woman helper, mother Diki Tsering to his left, two members of his administration, and children of the nursery in the 1960s

In this scenario, such caring labour by prominent Tibetan women involved the production and creation of life itself. Meaning, women's caring labour contributed to the survival of orphaned refugee children through their affective and how such labour contributed to children's overall survivance and sustenance in exile. Michael Hardt identifies such care work by women as "biopolitical production" (1999). Biopolitical production "consists primarily in the labour involved in the creation of life—not the activities of procreation but the creation of life precisely in the production and reproduction of affect" (99). Such affective labour, according to Hardt, works directly on the affects and produces subjectivity, society, and life. As a result, it is "ontological—it reveals living labor constituting a form of life and thus demonstrates the potential of biopolitical production again," argues Hardt (99). The children raised by such prominent Tibetan women in exile later became mothers, fathers, civil servants, teachers, nurses, doctors, and other leading figures that the Tibetan refugee apparatus and the community at large needed to produce a fully functioning Tibetan society in exile. The affective labour of these women, who performed the role of the mother—literally called *Ama* (mother) by children who were raised under their guidance—ensured the lives needed to sustain the continuity of the Tibetan collective in exile. These exact mother figures were also the founding members of

the oldest Tibetan women's organization in exile: the Tibetan Women's Association (TWA). Due to TWA's historical association with these leading female figures, TWA has become an essential organization for exploring the evolving role of women as leaders in the exile Tibetan community and how they both manifest and push notions of leadership that the exile Tibetan apparatus desired.

2. Gendering Leadership: The Tibetan Women's Association (TWA)

On March 10th, 1959, thousands of Tibetans gathered with their countrymen in Lhasa to begin an uprising against China's occupation of Tibet. Two days later, on March 12th, 1959 Tibetan women organized their own protest against China's illegal occupation of Tibet. The Tibetan Women's Association (TWA) recognizes this date as the founding of their organization. After China's deadly military retaliations against the Tibetan uprising in Lhasa and Tibetan exodus to India, many women's organizations operated in different Tibetan communities across exile between 1959 to 1984 (TWA n.d.a). In an effort to organize all these different women's organizations into one cohesive body, the Tibetan Women's Association was formally reinstated in India. According to their official website, "On September 10, 1984, with the blessings of His Holiness the Dalai Lama, the Tibetan Women's Association was officially reinstated with 12 branches throughout India" (TWA n.d. a.). Dharamsala served as TWA's main headquarters. According to TWA, it "has over 16,000 members and 57 branches worldwide... TWA sees itself as the natural continuation of our many brave sisters who sacrificed their lives for the freedom and protection of Tibet" (TWA n.d. a). In its exile beginnings, women from privileged aristocratic backgrounds led the association, with women from less privileged backgrounds joining the ranks gradually over time. TWA is also well known for launching the careers of many Tibetan women politicians in exile. Many of its former members have served in the Tibetan parliament in exile and various other positions within the CTA. Promoting its members for positions in the parliament helped to increase women's participation in what was previously a male-dominated Parliament structure and helped to promote issues important to women within the community. As an organization that has launched the political and public careers of many female leaders in the Tibetan diaspora, it becomes essential to review TWA's history to better situate the trajectory of female Tibetan leadership in contemporary Tibetan exile society.

In Alex Butler's Feminism, Nationalism, and Exiled Tibetan Women, Butler discusses TWA's history and its changing roles and ideologies in the exile Tibetan polity (2007).

Between 1985 and 1992, TWA functioned primarily as a nationalist and welfare organization within the exile [Tibetan] community in India and Nepal” (3). In this, they converged with the larger ideologies and goals of the CTA. The policies of the Cultural Revolution in Tibet began to wane in Tibet by the 1980s. The liberalization era eased travel between Tibet and India and allowed many to reunite with their loved ones. This era also saw the second period of exodus of Tibetans into exile—the first being the initial exodus following Tibet’s invasion—that did not wane until border-clamp downs following the 2008 uprisings in Tibet. Many made the journey from Tibet in high numbers either to join families in exile or to enroll their children at Tibetan boarding schools under the CTA (Diehl 2002; McGranahan 2010). The second exodus brought many newcomers to Dharamsala and prompted the CTA and other organizations such as the TWA to start welfare initiatives in order to help newcomers transition into their new lives in exile.

Between the mid 1980s and early 1990s the majority of TWA’s activities involved welfare projects. The TWA opened handicraft centers meant to provide skills training and employment for newly arrived women from Tibet who lacked legal documents in finding legal employment in India. While women at the beginning of exile were hailed for their leadership for providing affective care-work for orphaned children at Tibetan schools, leadership in the era between the 80s and 90s seems to have operated under entrepreneurial imperatives initiated by the TWA. Carla Freeman, who also looked at such development in entrepreneurial imperatives in Barbados, describes how such imperatives were meant to provide women with the “flexibility” needed to become “entrepreneurs of the self” (2012, 85-88). Similarly, in exile, such entrepreneurial imperatives helped Tibetan women gain skill sets that allowed them to become self-sufficient. The TWA viewed such initiatives as essential for helping women gain access to employment and how such employment became the avenues through which women supported their families. This was important since such income contributed to the sustenance of an entire family. Moreover, such sustenance was seen to be contributing to the financial success of the larger Tibetan community since the incomes of working women circulated into the broader community’s economy. However, by the mid 1990s and onwards, TWA’s leadership began shifting their focus beyond welfare projects to include assertive workshops that aimed to “empower” women through leadership training that stressed education and political participation in the service of the Tibetan community and the Tibetan cause.



Picture 2: Tibetan Women's Protest at the United Nation's Fourth World Conference on Women, Beijing 1995

In 1995, nine women from The Tibetan Women's Delegation at the United Nation's Fourth World Conference on Women in Beijing staged a political protest at the event condemning the sterilization and torture of Tibetan women in Tibet. TWA had partnered with seven other Tibet NGOs in training nine women to participate in the conference in Beijing. Among the nine included women who were members of the TWA (TWA n.d. b). The protest caught the attention of the international media. The Tibetan leadership and diaspora at large applauded the women for being courageous in their protest and were celebrated as exemplary leaders. Soon after the success of the Beijing campaign, TWA began implementing leadership training for Tibetan women—a theme that had been stressed at the UN Women's Conference in Beijing. The leadership trainings TWA gave involved "introducing and developing the concept of the 'empowerment' of women" (Butler 2007, 4). Empowerment, in this scenario, involved "education" (76). The emphasis on educational pathways for women's empowerment aligned with the CTA's desires for leaders, which also emphasized the importance of education. During the initial construction of the refugee community in exile, the Tibetan apparatus spent a large portion of its efforts in developing schools both as a place to sustain life and to educate children in order to ensure a future generation that would lead the exile Tibetan community and its message. As

a result, educational institutions became important sites for cultivating the types of leaders the Tibetan government desired.

3. Desiring Educated Leaders

The Tibetan government has always promoted education as the avenue through which Tibetans could articulate the Tibetan political cause at the national and international levels. At the 35th anniversary of the establishment of Tibetan Children's Village (TCV),² the Dalai Lama lectured, "the future direction of our program will be in the field of further education in specialized studies to meet the human resource needs of the community during our period in exile and more importantly when the time comes for us to go back to our homeland".³ The wall overlooking TCV's soccer field contains the motto "Enter to learn, Leave to serve" in big letters. CTA's heavy investment in children's education emphasizes that one must attain a modern education and secure professional employment to become the leader that the apparatus desires and needs. Educational avenues would allow individuals to become self-making and serve the community while in exile and in the future in a sovereign Tibet. By the mid-1990s, the Tibetan apparatus's heavy investment in educational infrastructure seems to have paid off. Large numbers of adults, who as children were educated and cared for at these institutions, took on roles (as mothers, fathers, teachers, government workers, nurses, doctors, and so on) within the community that served to ensure the continuation of the Tibetan community. More importantly, the labour that men and women poured into the building and maintenance of these educational institutions contributed to a generation that helped accelerate the transition of exiled Tibetans from a precarious state of survivability to a thriving exile community in places such as Dharamsala, India currently exemplifies.

Although CTA's promotion of education in exile is, in McGranahan's words, "not gendered male or female in exile" (McGranahan 1996, 169; see also D. Norbu 1994; Phuntsog 1994; Shastri 1994); prevailing belief in traditional gender roles kept a large number of the exile Tibetan girls from accessing education—especially in poor rural Tibetan communities. TWA's decision to shift its focus to increase leadership workshops with an emphasis on "education" made use of the apparatus's desire for leaders with education as a criterion to meet the gender gap between boys and girls in schools. In addition, the emphasis on education as a path to "empowering" women and girls to access

² "Tibetan Children's Village," <http://www.tcv.org.in/>, (May 2, 2014)

³ "About Us," <http://www.tcv.org.in/content/about-us>, (May 2, 2014)

economic and social opportunities coincides with the globalization of neoliberal ideologies that championed "empowerment" through educational and economic avenues. As Freeman describes, these ideologies were rooted in "affective individualism, self-mastery, and introspective selfhood" (2012, 103). TWA's leadership workshops echo these ideals by encouraging Tibetan women to be assertive, informed, and self-mastered in order to become leaders. By using CTA's emphasis on education as a desired trait for leaders, TWA was able to campaign for equal opportunities for girls in education in the community. At the same time, it also created spaces that allowed women and girls to discuss how they could also participate in the type of leadership that the apparatus desired. Such affective desires allowed TWA to advocate for women's educational and leadership advancement in traditionally male-dominated areas of Tibetan society.

In the article "India's Tibetan women assuming bigger roles," author Murali Krishnan covers a TWA leadership workshop and interviews its facilitators (Krishnan 2014). The facilitators Krishnana interviews are Dhardon Sharling and Nyima Lhamo. While Nyima Lhamo was serving as TWA's General Secretary at the time of this interview. Dhardon Sharling had been serving as a member of the Tibetan parliament in exile. Prior to her role in the parliament, Sharling had served TWA's main headquarters office in Dharamsala as its staff. The participants in the workshop are described as "graduate students, professional workers, political activists, and teachers." The workshops "taught [women] how to take up leadership roles in their community" with training on "mainstream media and conflict situations" that could assist them in their political campaigns concerning Tibet. In their interviews with Krishnan both facilitators share their observations on Tibetan women's increased participation in leadership positions in the Tibetan community. According to Sharling, she says "I feel that the Tibetan women in exile are catching up with their male counterparts, and traditional gender roles of Tibetan society are being challenged." Lhamo adds, "despite their day-to-day struggle, the desire to win independence for Tibet is still crucial for Tibet's female diaspora." In many ways, Sharling and Lhamo exemplify the kind of leadership the CTA desires. Both women serve the Tibetan community in their role as member of the Tibetan parliament and staff of the TWA, they also advance women's leadership by facilitating leadership workshops that empower Tibetan women to become leaders in the community. They embody ideals of the CTA by being educated involved professionals who see themselves as active political and social agents that desire to advance "the Tibetan cause."

4. Complicated Desires: Advocating Against Gender Violence

Sometime around July 2011, a story about violence against a Tibetan woman carried out by other Tibetans in Tenzingang, began circulating on Facebook. Tenzingang is a small town located in the rural part of the state of Arunachal Pradesh, India. According to the TWA's report on the situation, "On July 18 this year, TWA received some shocking news by email; a Tibetan woman had been beaten, stripped naked and taken to the market by fellow Tibetans in Tenzinghang, a Tibetan Settlement of 800 people across four camps, 160 km from Bomdilla in Arunachal Pradesh."⁴ The report suggested that the victim was attacked for having started a family with a married man; the attackers had been the wife and her male and female family members.

As the story began taking on a life of its own on the Internet, a transnational network of Tibetans began asking, "what happened?" out loud. They also asked, why CTA remain silent on the issue? The public backlash caused TWA to send several of its members from Dharamsala to Tenzingang to investigate the incident. After receiving TWA's report on the Tenzingang case in August, a transnational network of Tibetans on the internet began criticizing the CTA on its light handling of the situation. Female members of the Tibetan Parliament-in-Exile (TPiE) responded in September to the growing criticism by drafting a resolution to "condemn all violence against women [and] to ensure the effective enforcement of the host country's laws and acts on dealing with any forms of violence against women, and to issue new guidelines to the settlement officers aimed at protecting women's rights and submit it to Parliament, with a deadline of March 2012."⁵ By May 2013, TWA introduced a new workshop titled "Legal Empowerment of Tibetan Women" (LETW) in seventeen different Tibetan settlements in India.⁶ According to the report compiled by TWA members, the workshop's purpose was to collect information on gender violence in each settlement, followed by workshops that informed settlement women on their "legal rights" as defined by India. The following year, TWA led the second LETW workshop, in which participants of women between the ages of 20-40 discussed TWA's report, revealing high levels of gender violence in the Tibetan exile communities.

⁴ "Violence against a Tibetan Woman in Tenzigang: TWA's report September 2011," <http://tibetanwomen.org/wp-content/uploads/2011/09/TWA-report-on-sexual-violence-against-a-Tibetan-Woman-in-Tenzinghang-2011.pdf> (May 4, 2014)

⁵ "Revisiting the 'Tenzingang Incident' after the Delhi Rape/Murder Case," <https://sites.google.com/site/tibetanpoliticalreview/editorials/revisitingthetenzingangincidentafterthedelhirapemurdercase> (May 4, 2014).

⁶ "Know your Right: Legal Empowerment project," <http://tibetanwomen.org/wp-content/uploads/2013/08/summer-voice-edition-2013.pdf> (May 4, 2014)

In "Affective States," Ann Stoler argues political rationalities of the states as grounded in the management of affective states, in which the state assesses appropriate sentiments and fashions techniques of affective control" (2008, 5). While Stoler looks specifically at the management of affects in Indonesia under the Dutch East India's colonial government, her emphasis on the management of "affect" by the state is helpful in assessing how the CTA deems specific desires to be appropriate so long as they fit into the state's own larger vision for leaders. Gender violence involving domestic and sexual abuse is not new to the Tibetan experience. However, public engagement in gender violence within the community at such an increased and transnational level is new. This is partly due to the increasing levels of Tibetan participation on different social media platforms in the last decade. Such virtual spaces become gathering grounds for transnational conversations concerning topics that the Tibetan diasporic public deems essential.

When the news of the Tenzigang case involving domestic violence broke, a transnational network of Tibetans, especially women, condemned the incident while inviting the public to have opinions on the matter. In some cases, the public questioned the CTA and TWA for their lack of stance. This momentum, generated by public discussions on the event by the Tibetan diaspora, prompted the TWA to dispatch their research team to investigate the incident of domestic abuse in Tenzigang. The Tenzingang event and the discussions it generated became grounds for Dhardon Sharling and Tenzin Palkyi to engage in public debates concerning the issue of gender violence within the community on their public social media accounts. Both served as a staff together during their term at the TWA main headquarters in Dharamsala, India. Tenzin Palkyi also published articles on the subject in popular Tibetan news journals (Palkyi and Dickyi 2013; Palkyi 2014). As a result, the topic became even more hotly debated among Tibetans across the diaspora on the transnational space online. Such debates also quickly provoked criticism from other Tibetans. Men responded negatively by dismissing the issue by falsely concluding Tibetan society as having always been a gender-equal society or accusing women advocates of trying to emulate western concepts of modernity by emulating western feminism.

On December 17, 2013, the then Prime Minister of the CTA, Lobsang Sangay, gave a speech at a workshop on women's empowerment led by the CTA's newly established women's empowerment desk. In his speech, Lobsang Sangay emphasized the empowerment and leadership of Tibetan women through "education [and] job opportunities". He said nothing about domestic violence.⁷ CTA's general lack of actions targeting gender violence

⁷ "Gender Equality & Women Empowerment crucial for holistic social growth: Sikyong,"

and TWA's embrace of the campaign present conflicts between two desires. TWA's campaigns in the past have aligned with the CTA, in which both organizations desired educated subjects who desired to become leaders through communal or political engagements. However, TWA's current desire to enact leadership by politicizing gender violence within the community does not seem to align with the CTA. This is broadly reflected by CTA's general lack of action on the issue.

Although CTA has not condemned nor celebrated TWA's new initiative to take on gender violence in the Tibetan community, its general lack of action on the issue reveals how the desire to end gender violence, as advocated by Tibetan women, is neither encouraged nor discouraged by the CTA—deeming the issue a non-issue for the male-dominated Tibetan apparatus. CTA's inaction around the issue of gender violence suggests that it will encourage TWA projects as long as they are advocating empowerment for Tibetan women through education and professionalism, which CTA has marked "appropriate" but will not publically support or give voice to efforts that have yet to be marked "appropriate" by the leadership at the CTA. Women advocates enacting leadership by desiring an end to gender violence diverges from CTA's desires for leaders, including education, but not advocacy for ending gender violence. Unlike TWA's previous engagements, which prioritized and matched CTA's desires, TWA's recent shift to take on gender violence has complicated the "appropriateness" of the issue. CTA's lack of advocacy on the subject trivializes the problem. It can be interpreted to mean they do not consider the desire to advocate against gender violence within the community an appropriate desire.

Following CTA's lack of actions condemning gender violence, my Facebook newsfeed became flooded with Tibetans engaging in a firestorm of Facebook discussions initiated by public posts that discussed gender violence and CTA's role on the subject. There were people on all spectrums making arguments for or against the subject. Discussions by Tibetan men who were either CTA staff or former staff members with positions ranging from administrators to civil servants were interesting. Their comments varied between denying the issue with the claim that Tibetan society is gender equal, supporting the case wholeheartedly, or supporting the problem with a twist. Some commenters acknowledged gender violence in the community but dismissed the issue as distracting from the more significant issue of Chinese colonization by revealing the imperfections of the Tibetan collective that would ultimately, in their opinion, damage Tibet as a likeable cause to the outside world. In other words, they viewed the public airing of gender violence in the

community to the outside world as harming the current success of the Tibetan cause.

In *Arrested Histories*, Carole McGranahan explains historical arrest as "the apprehension and detaining of particular pasts [and present] in anticipation of their eventual release. Pasts [or presents] that clash with official ways of explaining nation, community, and identity are arrested, in the multiple senses of being held back and delaying progress but also in the ironic sense of drawing attention to these pasts [and presents]" (2010, 24). While McGranahan is explicitly talking about the "arrest" of Chushi Gangdrug resistance army histories. Women who desire the public airing of an issue they feel is important for the larger community to tackle are being told by a particular group of Tibetans to put their desires on "arrest" because these desires "clash with official ways of explaining nation, community, and identity" (24). Advocacy against gender violence is deemed problematic because it engages wrongdoings within the community, not in China. Because the issue does not deal directly with China, critics (who do not deny the problem but accuse women advocates of harming the larger political movement for freedom) tell women advocates to put the issue of gender violence on "arrest," at least until freedom is achieved. However, advocacy against gender violence, as a desire promoted by TWA and other women advocates, call attention to the present realities of the Tibetan women in exile. Such advocates, like the CTA, are invested in producing leaders that desire the project of sustenance in exile, the politicizing of Tibet, and a future free Tibet. However, they also want to promote a desire for a Tibetan society, present and future, free of gender violence and discrimination.

In tracing the desires of the exile Tibetan female leadership figure using TWA's historical trajectory, I have emphasized how leadership for Tibetan women has undergone different transitions that either align with or diverge from official desires promoted by the Tibetan government in exile. But what about Tibetan women who desire or inhabit subjectivities that CTA or TWA does not promote?

5. Desiring Other Subjectivities

Sometime in 2014, while catching up with a Tibetan female friend, she asked how my sister was doing. I mentioned how my sister was in India studying Tibetan Buddhism. My friend responded sarcastically, "please don't let her become a nun". Although I knew she was only joking, I asked if she would be against the idea of my sister becoming a nun if my sister was actually to consider it in reality. She confirmed she was against the idea. When I asked her to explain, she explained, "Well, Tibetans have less children, and as a result, our

population is decreasing." This is not just hearsay; recent studies reveal decreasing birthrates among Tibetans inside and in the diaspora. Much of it has to do with development and population control policies inside Tibet and an overall increase in the cost of living, among other global phenomena that have contributed to a decrease in birth rates worldwide.

In another incident following a close friend's decision to become a Buddhist nun, other Tibetan friends who knew us began asking me why she had chosen that lifestyle. They asked why Rinzin (name changed) would choose to become a nun when she was raised in the United States, attended an excellent liberal arts college, and worked in respected institutions. On top of that, she was also someone others considered attractive. So why would she choose to become a nun, of all things? This was usually followed by, "I get it, and good for her, but what is the point?" Such comments emphasizing my friend's background as someone who was raised and educated in the US, as someone attractive with an excellent career, is juxtaposed against her decision to become a nun. The not-so-positive response seems to imply that a nun's lifestyle could achieve some spiritual gratification, but what tangible outcome, especially for Tibet, would it otherwise serve?

The desire to study Buddhism or to become a nun involves renouncing not only worldly matters in the spiritual sense. Still, it includes the rejection of prescribed gendered subjectivities that are both traditional and modern. In choosing a spiritual path, they reject notions of empowerment that emphasize 'modern' education as a gateway for individual careerist ambition and consumption. Although Tibetan religious institutions are not free of gender discrimination, the desire to become a nun rejects gendered subjectivities prescribed by politicized Tibet or the modern educated self-making woman. The desire for spiritual liberation is also strangely an indigenous Tibetan response and desire. Yet, expressing such desires evoked responses such as, "but why?" from Tibetan youth in the contemporary era in exile. Such responses reflect their concrete reality in which they and the apparatus desire leaders that can ensure the continuity of the Tibetan community and its political message. Religious or ascetic lifestyles as a subjectivity desired is not discouraged by CTA, TWA or the modern Tibetan youth. However, they are not desired either.

Tibetan monastic institutions in exile have seen a sharp drop in the number of exile Tibetans—women and men—desiring monastic subjectivities. Such decreases in numbers reflect how the desire for certain subjectivities, such as religious lifestyles, are neither promoted by CTA or TWA nor desired by the current generation of Tibetans in exile. It is also about the promotion of certain subjectivities as "modern" (educated/professional/leaders),

while other subjectivities—such as homemakers, spiritual cave dwellers, and storytelling grandmothers who also contribute to the sustenance of the Tibetan community and culture in Tibet and across the diaspora—take a back seat to the desire for Tibetan leaders that lead community and politicize Tibet.

Chapter Four

Legal Mobilisation For Indian Citizenship Among Tibetan Refugees In India

Dickey Choedon

1. Introduction

On October 7, 1950, one year into the formation of the PRC¹, around four thousand armies from the People's Liberation Army entered eastern Tibet to seize control (Jian 2006). The Tibetan commanders were lightly armed (Dhussa 2010), and after two weeks, about 400 Tibetan men were overtaken by the speed of the superior Chinese weapons. In 1951, China made Seventeen Point Agreement with the 14th Dalai Lama (DIIR, 2001) that promised autonomy; however, China violated the agreement and invaded Tibet completely in 1959, prompting many Tibetans to flee to India. Following the 14th Dalai Lama, Tibetans emigrated in three distinct phases: the first between 1959 and 1960, the second between 1985 and 1996, and the third between 1980 and the late 1990s. It is hard to calculate the population of unregistered Tibetans in India, but an estimated 80,000 Tibetans emigrated in the initial years. Since the 1980s, at least 30,000 Tibetans have fled to India and Nepal, according to UNHCR data. A rough estimate of the number of Tibetan refugees departing Tibet can be derived from the number of registered individuals. The Indian government's policy differs depending on the immigrants from phase one to phase three. Tibetan refugees of the first generation had different rights than Tibetans of the third generation and vice versa. On the request of the Dalai Lama, Jawaharlal Nehru, former prime minister of India, granted Tibetan refugees in India official residence. The ruling party under Pandit Nehru aided the Tibetan Government in Exile (TGiE), a national construction project, to preserve national identity and politicise Tibetans (Norbu, 1992).

Since escaping Tibet in 1959, Tibetan refugees have lived effectively in India for the past 60 years. Tibetan refugee settlements were established in the early 1960s (CTRC website), and most Tibetan refugees reside in refugee camps in Karnataka and other Indian states. The traditional Tibetan community in India has been transitioning with influences

¹ The People's Republic of China

from the change in the socio-political transition of the host country. The Indian government's policies and attitude toward Tibetan contribute to change and continuity in the Tibetan refugees in India, including their policies towards legal mobilisation of Indian citizenship for Tibetan. Over the last seventy years, Tibetan refugees have been able to survive in India with the help of a Registration certificate (RC).

In contrast to the first and second generations, the third generation of Tibetan refugees seeks equal opportunities as Indian citizens. In numerous sectors of competence, without becoming an Indian citizen, it would be impossible for Tibetan to compete for the same economic opportunities and endeavours. Thus, many Tibetan adolescents undergo legal mobilisation of Indian citizenship to fulfil their aspirations, which their parents could never have imagined. Citizenship can be both a vital and emotional decision for Tibetan refugees who still hope to return to Tibet one day. However, most Tibetan youngsters consider it a stepping stone to self-empowerment and receiving equal rights and treatment.

1.1: Methodology:

The study was done in collaboration with forty young Tibetan refugees residing in Bylakuppe, South India. The data was collected by snowball sampling of people who have experienced differential treatment according to their refugee status at some time in their lives. Participants born between the 1960s and 1970s are excluded from the study as they are ineligible for Indian citizenship in India. The researcher analysed the data based on firsthand interviews with participants. The themes are categorised based on interviews and the examination of secondary data sources from government bulletins, newsletters, journals, etc. The participants' earlier experiences were used to develop a comprehensive concept of citizenship for the study. The experiences shared were personal lived experiences and their legal standing towards Indian citizenship, which is understandable.

1.2: Citizenship

The concept of citizenship can be traced historically to ancient Greece and Rome. Historically, a European citizen was a city-dweller, but the modern understanding of citizenship differs. However, the present idea of citizenship is the outcome of revolts, notably the French Revolution and industrialisation in the West. The contemporary nation-state has a different meaning of citizenship: the politico-legal standing of an individual or group with all reforms and law-abiding goals have evolved alongside the

world's shifting social order. Citizenship in a modern democratic society is described as having a fair share of citizenship in a nation-state, access to state-provided government services, and the ability to exercise all legal rights. According to Marshall (1950), citizenship encompasses three sets of rights: first, the common law and the judiciary represent the civil rights developed in the seventeen and eighteen centuries. During the 19th century, political rights were enshrined in the parliamentary system (Ember, Ember and Skoggard 2005), and by the 20th century, social rights were incorporated into the welfare state. Today, in the millennium's postmodern society, the notion of citizenship has shifted to an organisation known as the Global citizens. Modernisation and globalisation significantly impact global citizenship since they foster individual international efforts and social programmes. This reduction in citizenship is linked to the deterioration of the public realm due to a shift in human understanding of the world. In the postmodern, globalised society, concepts like 'world-mindedness' provide a broad sense, and personality fosters a more incredible feeling of not discriminating based on class, nationality, ethnicity, professionalism, etc.

1.3: Conceptual Definition:

Citizenship in this article refers to Indian citizenship and its claimant from the perspective of Tibetan refugees in the 21st Century. India is home to refugees from different countries; therefore, the right to citizenship also differs for each of these nationalities. Moreover, whether it is Chakma refugees from Bangladesh, Sri Lankans, and Afghans may have different reasons for applying for citizenship than Tibetan refugees. Citizenship is comprised of two components: legal and emotional. Some Tibetans are Indian citizens, while others are refugees but develop unique and strong emotional ties with India. For the younger generation, the decision to apply for or consider Indian citizenship is determined by a mixture of legal, emotional and economic challenges. This does not mean that Tibetan refugees in India have lost their emotional ties with Tibet and the Tibet issue. On the contrary, emotional ties here imply a connection Tibetan has developed after spending seven decades in India. Therefore, for the younger generation, their decision to apply for Indian citizenship is determined by various factors.

2. Rejection of Indian Citizenship

The debate about citizenship is not a new occurrence within the Tibetan community in India, and it has appeared in the past. In 1959, after the 14th Dalai Lama entered India the

first wave of Tibetan exiles fled to India. Tibetans in India are not refugees, and the RC is a registration card, not a refugee card.² As India lacked refugee-related laws in the 1960s, the Registration of Foreigners Act classified Tibetan refugees in India as “foreigners” (Moynihan 2012). India lacks specialised refugee protection and rights laws because it is not a signatory member of the 1967 Protocol to the United Nations (Visweswaran 2004) and the 1951 UN Refugee Convention.³ Regardless of the lack of refugee law and legally categorising Tibetans as “foreigners”, as per Tibet Justice Center (2011), the Indian government continues to characterise the Tibetans in India as “refugees”.

Moreover, in the initial period of exile, the Dalai Lama and perhaps twenty members who travelled along with him were formally recognised as refugees by India. However, with the change in India and China relations, there is a change in the language of the Indian government in addressing him. Instead of a refugee, the Dalai Lama is considered an honoured or distinguished guest in India, while Tibetans are classified as foreigner (Hindustan Times 2022).⁴ By categorizing Tibetan as foreigners, the Indian government limited many rights for Tibetan in India. Nevertheless, the earliest Tibetan refugee refused to become citizens because they believed that the period of exile was temporary, meaning they would soon return to Tibet. Also, within the Tibetan community, instead of using the word refugee, they often called themselves exiled Tibetan.⁵ Political scientist Yossi Shain defines particularly political exile, as those “who are engaged in political activity directed against the policies of a home regime, against the home regime itself, or the political system as a whole, to create circumstances favourable to their return” (Auten 2006). The hope of returning to Tibet soon is the key reason why the first and the second generation rejected Indian citizenship. However, it is not just the first and the second generation; many from the third generation denied citizenship and reasoned that it would undermine their nationality (Garbovan 2021) and the Tibet cause. For instance, Tibetan activist Tenzin Tsundue argued that He “vigorously opposed it, arguing that it would undercut Tibetan nationalism and the legal, historical, and fundamental moral claims to Tibet.” (Tsundue, 2014).

The denial of Indian citizenship can be divided into three theoretical categories (Brady

² Currently referred as registration certificate as per September 2022, issued by Government of Karnataka.

³ See UN convention on refugee, available at The 1951 Refugee Convention: 70 years of lifesaving protection (unrefugees.org), accessed on 2022/08/19

⁴ See, In response to the Chinese government’s criticism over Indian Prime Minister Modi’s birthday wishes to the Dalai Lama, India responded and mentioned that the Dalai lama is a guest in India.

⁵ The Central Tibetan administration, which was previously known as Tibetan government in exile uses the term exile which is translated as (Tsen-jol: རྩେན་जོལ), See the CTA charter, available at ctatibet.org/ རྩେན་ଶିର୍ତ୍ତାଏକାମ୍ବୀନ୍ଦ୍ରା (bod.asia)

2008). The first, entitled building ethnicity, investigated the development of a single Tibetan ethnic or national category. Second, differences in cultures with ethnicity and nationality reflect its structure but are less resistant to change given that Tibetans reside far from their country. Third, combining ethnicity and culture demonstrates how Tibetan youngsters living in exile may consider themselves equal to Tibetans living in Tibet. However, they often combat the cultural divide between them and their parents, creating a shift from past to present. Finally, adherence to Tibet and the experience of living in Tibet are the essence of the first generation of Tibetans, which led them to refuse Indian citizenship.

3. Legal Mobilisation of Tibetan Refugees

Legal mobilisation refers to the alterations in the legal standing of young Tibetans in Bylakuppe. The debate about the third-generation Tibetan refugees' shift from refugee status to Indian citizens has caused concern within the Tibetan community, arguing that such a shift might negatively impact the viability of the Tibetan cause. However, another section of the younger generation opts for the idea of legal mobilisation of Indian citizenship for Tibetan refugees. There are numerous causes for agreeing to such transformation but primarily motivated by the desire for stable and decent socio-economic development. Though the Indian government directly aided Tibetan and Sri Lankan Tamil refugees with comprehensive legal protection, these aids, legal protection, and services remain limited. Apart from unprotected legal status, Tibetan refugees in India are restricted from much socio-economic development. Therefore, Tibetans in India view themselves as refugees with limited opportunities, but the policy of claiming Indian citizenship is considered a means to better prospects. In 2017, the Ministry of External Affairs approved Delhi high court ruling regarding citizenship for Tibetan refugees (Garg 2017) and subsequently, it issued a directive to all regional passport offices. The key point in the directive mentioned that Tibetan born in India between 26.01.1950 and 01.07.1987 "cannot be questioned under the Citizenship Act; the government will now issue Indian passports to all such Tibetan refugees".⁶ This gift makes half of Tibetan refugees born in India eligible for Indian citizenship. Such judgment and directive came after a few Tibetans filed for citizenship applications and were denied by the concerned office; however, after filing a case in the Delhi high court, the MEA accepted the court decision (Times of India 2017).⁷

⁶ See MEA to issue Indian passports to Tibetan refugees (newsbytesapp.com), accessed on 2022/08/19

⁷ The first Tibetan to receive Indian citizenship was in 2011 and the second was in 2017 that raised the major debate about Tibetan citizenship rights. See, The Tibet Post (2011), "India-Born Girl First Tibetan to Get Indian

Such a case is unprecedented and, in a way, paved the way for other Tibetan who desired to apply for one.

Individual, social, economic, and political factors impact the legal transition of Tibetans in India. Therefore, believing or disbelieving only one side of an argument is unjust. This article concentrates on a few significant variables that affect the life of Tibetan refugees in India. Lempert (1976) defines legal mobilisation as a process whereby legal procedures influence behaviour (Zemans, Legal Mobilization: The Neglected of law in the political system 1983). It is also desirable to make compliance with legal participation procedures an obligation for public authorities. A legal mobilisation invokes legal procedures to control behaviour sufficiently expansive to encompass the initial phase of the legal practice (Zemans 1983). Consequently, the law is implemented when a person's will becomes necessary as a safeguard for human rights; however, the validity of a person's claim must be based on the rule of law with a clear threat of using state authority on the person's behalf (Ibid, 700).

For a refugee to exercise legal change, the decision-making process, including identifying difficulties, acquiring pertinent information, identifying options, and making the best choice, is challenging. Moreover, the requirement to comply with state processes and the fear of compromise usually cause Tibetan refugees to withdraw from refugee funds and programmes implemented by the ruling parties. For instance, when in 2017, the debate for Tibetan refugees seeking Indian citizenship heightened, the Indian government in association with the CTA issued a statement which mentioned that “Registration/refugee certificate (RC) and identity certificate should be cancelled; the applicant should not be staying in designated Tibetan refugee settlements; an undertaking that he/she no longer enjoys CTA benefits; and a declaration that he/she no longer enjoys any privileges, including subsidies by being an RC holder”.⁸

But the nature of the rule of law, which alters public definitions of the conditions under which the law is almost applied, significantly impacts the perception of desire and interest. This also implies to Tibetan refugees that their decision to claim Indian citizenship and officially adopt a new political status or add a new nationality has never been easy but was motivated by several external causes and internal motivations.

Citizenship”, available at,

<https://www.thetibetpost.com/en/news/exile/1389-india-born-girl-first-tibetan-to-get-indian-citizenship>

⁸ Hindustan Times (June 2017), “Govt sets conditions for Tibetans to get passports, says move out of settlements, forgo benefits” accessed on 2022/11/10, available at

<https://www.hindustantimes.com/india-news/govt-riders-for-tibetans-to-get-passports-move-out-of-colonies-forgo-benefits/story-jBsKDOitUKmDACPZ1DP2jFK.html>

3.1: The Political Factor

The older and younger generation Tibetans have seen significant social, economic, and legal changes during the past six decades. The older generation of Tibetans in India managed their life with limited rights provided by the Indian government. In contrast, the younger generation with greater exposure and education qualifications chose Indian citizenship, which provides greater access to many rights. Numerous young Tibetans have acquired Indian citizenship or are in the process. It would not be conceivable without specific political elements or the Indian government's engagement in policy. For Instance, for the last seven decades, the Indian government amended the Citizenship Act of 1955 several times. Such amendment in the Citizenship Act provides greater scope for Tibetan to apply for or consider Indian citizenship rights. The Citizenship Act of 1955 was amended for the third time in 2003, following the first amendment in 1985 and the second in 1992. Under the 2003 Act, Tibetan refugees born between the 1950s to 1987 are entitled to claim Indian citizenship through birth, descent, registration, and naturalisation (Pooja: Indian Bar Association). For Tibetans, such an amendment to the Citizenship Act provides greater scope to apply for or consider Indian citizenship. As mentioned above, such change in the Citizenship Act enabled the majority of third-generation Tibetans to be eligible for citizenship rights and made legal mobilisation among the Tibetan diaspora possible.

Another factor mentioned by participants is the citizenship rights persuaded by some of the leading political figures within the Tibetan community. For instance, the former President of the CTA was a citizen of the United States, and Namgyal Lhayari, a member of parliament, Central Tibetan Administration (CTA) and Gyari Dolma, who currently serves as the head of the department of security, CTA, are Indian citizens. These are names known to many, and others prefer not to disclose their citizenship. Such persuasion of citizenship by those in power opens more discussion about the legal mobilisation of citizenship rights for Tibetan refugees in India. Moreover, it sometimes encourages others to pursue the same path.

There is also concern about India's ambiguity on the Tibet issue and Tibetan refugees in India. Due to a lack of refugee law, India was allowed to develop unique approaches to various refugee members at their convenience. There was one particular incident that raised a major concern among Tibetan. On March 30, 2018, the government of India issued a classified circular to its concerned ministers and government official to avoid the "Thank You" event hosted by the Central Tibetan Administration (Tibetan Bulletin 2021). Furthermore, it issued notice for the CTA to shift of venue from New Delhi, the capital city

of India, to Dharamsala. This action by the Indian government resulted from the growing relationship between India and China, and it was motivated by India not to irritate Beijing. Such an appeasement move by the Indian government raised concern among Tibetans that for the sake of national interest, India could take any action against Tibetan refugees in India. Moreover, as the Tibet issue continues to remain unresolved, such disparities in treatment confuse many young Tibetans and create a sense of insecurity among Tibetans.⁹ For young Tibetan refugees, the Indian government's policies for refugees appeared weak and claiming citizenship would provide them with better political and economic security.

It is envisaged that refugees and immigrants would identify their own policy intervention needs. The integration phenomena lay the path for refugees' and immigrants' social, economic, and political conditions (Rai 2015). Researchers investigated refugee and immigrant self-identification requirements and policy interventions. Consequently, the refugee crisis results from the political dynamics of state and transition taking place globally (Hein 1993). Understanding the western policies on refugees is essential, which supports the viewpoints because stateless individuals continue to be intimately connected to foreign policy issues. Considering refugees' and immigrants' disordered and confusing status concerning the 1951 Refugee Convention is a significant diplomatic rift.

Social, economic, cultural, and political integration views must be developed to evaluate refugees' current position and status. Integration plans should be aligned with the expansion of developmental policies and programmes of the host countries and their respective governments. Works on the refugee study have focused on political discourses at the time of departure, highlighting the need for social science involvement to contribute to and mitigate against threats to the National Interest. The majority of research and prior observations in the current literature on integration indicate that nation-to-nation interactions are crucial, that international legal concerns significantly impact immigrants' and refugees' fate, and that India's diplomacy in this regard is questionable (Chakrabarty, 1994). South Asian nations have macro- and micro-level complexities, such as integration and adjustment.

3.2: An Instrumental One

The section three of Citizenship Amendment Act 2003¹⁰ stipulated that following

⁹ The Indian Express March 2018 published article on how the government of India sent out notes to skip Lama events to maintain ties with China accessed on June 27, 2022

¹⁰ The Gazette of India (2004), The Ministry of Law and Justice, Legislative Department, "The Citizenship Amendment Act 2003", Accessed on 2022/10/12, available at https://egazette.nic.in/WriteReadData/2004/E_7_2011_119.pdf

condition on claiming Indian citizenship or shall be considered as citizen of India:

1. Every person born in India on or after 26th January 1950 but before the first day of July 1987.
2. "Born on or after 1st July 1987, but before the commencement of the Citizenship amendment Act of 2003, but either of his/her parents is a citizen at the time of birth".
3. On or after the commencement of the Citizenship amendment Act of 2003: where his/her both parents were citizens of India, One of his/her parents is citizen of India and other is not an illegal immigrant at the time of birth.

By this provision, the majority of the second and third generation of Tibetan refugees are eligible for Indian citizenship. Thus, most participants in this research support this Act and intend to exercise their rights. Numerous Tibetans find that Indian citizenship can improve their social, economic, political, and psychological well-being, including access to better socio-economic benefits and opportunities such as jobs, education, business ownership and freedom of movement. Even though the act limits the right for citizenship for those of second and third generation, the fact that it will liberate those tibetan born between this particular period from the refugee status and able to enjoy the same rights, opportunities and obligations as those of the Indian citizenship.

Among the lists of challenges Tibetan faces because of the lack of citizenship rights, employment is one of the most significant problems within the Tibetan community in exile, and it continues to increase with the growing literary rate and education among the younger generation.

Kalsang, a 25-year-old Tibetan refugee, had applied for a corporate job but failed to get the job due to her RC document. She cleared all interviews and tests but failed at the document verification round. The corporate company was hesitant about the Tibetan refugee registration certificate. Many Indians are still not familiar with Tibetan refugees in India. She stated, "*Tibetan refugees will have more prospects with Indian citizenship because refugees have no right to any jobs, be it government or private*".

In another case, Tashi, 20 years old, wished to pursue a professional path of Chartered Accountants. But, to his disappointment, he could not fulfill his dream of becoming one. He reasoned that his refugee status was the obstacle that prevented him from becoming one. To conclude, he had enquired about all the processes but had not found any

solution. Thus, he finds that citizenship is the only way to resolve his problem.

Another important case that needs further research is Tibetan nursing in India. In 2013; the Indian Nursing Council (INC) issued a circular that shocked the Tibetan in India. The circular stated that foreign nationals, including Tibetan refugees in India, can be admitted for nursing education but cannot practice nursing in India.¹¹ Even though the issue was resolved later, this reveals the threat of instability and lack of concrete refugee law or policy for Tibetan in India. Moreover, the limited opportunities concerning employment are not just limited to the public sector but also apply to the private sector, as pointed out in the above two cases.

In addition to employment rights, Tibetans are also restricted from pursuing entrepreneurship because when applying for a business venture, one must produce an Indian passport to secure the required licenses. Many Tibetans pursue such ventures with the help of Indian citizens. This also applies to the right to property ownership (Tibetan Justice Center, 2016). These challenges related to economic and social endeavour compelled them to alter their legal status to obtain Indian citizenship rights. In other words, the system forces them to change their legal position to receive all the opportunities, such as education and employment in various sections of jobs. Therefore, the delays and procedural difficulties of the Indian legal system would necessitate a significant investment of time and resources for the marginalised group members (Subrahmanian 2002).

3.3: Personal Choice

Taking Indian citizenship has always been a personal decision for each Tibetan. Individual choice has always encouraged Tibetans to claim citizenship of any country where they are qualified, so long as they are Tibetan refugees. No group or political party could decide whether a person must acquire or renounce citizenship.

Lobsang stated, “*I am old enough to make decisions for myself. I had to endure many hardships associated with my RC and IC, like renewing the RC. I have the right to make a decision that is best for me. Therefore, I have my reason to have taken my passport and surrendered my RC and IC.*”

The decision to become a citizen of any nation is the individual who was once a marginalised group member. He had the right to play roles in the centralised group with his political consciousness, experience, and desire to engage in an activity that transcended his

¹¹ More about the nursing issue, see Tibetan Nursing Group, India, available at Tibetan Nursing Professional Group India - Home | FacebookTibetan Nursing Professional Group India - Home | Facebook,

lifetime (Zemans 1983). This enthusiasm for conscious choice among other Tibetan refugees makes them take decisions based on their self-awareness of refugee status. Some participants are concerned with the uncertainty, unable to return with no means of knowing how long they must wait to see their country again. The personal choice made by young Tibetans is the result of a strong emphasis on the current situation of the Tibetan struggle, and the resolution of the Tibet issue is far from expected, as mentioned by Kunga.¹²

Legal mobilisation in the Tibetan Diaspora depends entirely on the person, as the experiences shared by community members vary. Individuals may decide to become citizens based on their experience, peer pressure, or an external factor. Therefore, their experience may not have to mirror that of their parents or grandparents, despite the gap in their life spans (NeJaime 2012).

3.4: The Feeling of Insecurity

The feeling of insecurity is not just limited to political and economic insecurity; the lack of legal protection concerning any racial, gendered-based violence caused concern among Tibetan refugees in India. Like other world refugees and asylum seekers, Tibetans live in a continuous state of dislocation, dread of imminent persecution and deportation from the host nation. For instance, a prominent Tibetan activist Tenzin Tsundue recalled his situation and the likely situation for any Tibetan. He recalled,

“At the height of Beijing’s 2008 Olympics, Himachal police arrested and charged me as a foreigner for being absent from Dharamshala for over 14 days without registering my departure. They jailed me for 11 days, confiscated my ID card and charged me under section 14(c) of the Foreigners Registration Act (FRA) 1946. Applying this regulation to foreign tourists, every second Tibetan like me, born in India, is rendered a potential criminal. It took 22 trips to the Mandi District Court two years before I was found innocent and acquitted” (Tsundue, Tibetan Review 2014).

Tibetan Justice Center (TJC) reported a similar sort of concern. According to a 2016 report by TJC, there are several cases where the Indian government has deported Tibetan who failed to produce RC. Many Tibetans, particularly those who recently arrived in India, due to language and communication challenges failed to apply for RC on time. As a result, they remain as undocumented foreigners in India until they receive the RC in hand. During this application period, they are most vulnerable of being caught by Indian police and at the worst being deported back to Tibet. Those who were deported faced Chinese persecution

¹² Refugee, who have applied for Indian passport and waiting for police verification.

upon their arrival. There are also many cases of Tibetan being arrested under Section 14 of the (FRA), for failing to renew the RC on time. Such vulnerabilities are more acute when there is a growing relationship between India and China (TJC, 2016:73).

Additionally, along with fear of deportation and insecurities, Tseten, a young Tibetan, expressed that the lack of a permanent resident permit affects his mental health. Some officer at the foreign registration office takes advantage of the vulnerabilities of the resident permit and charges Tibetan with a promise to make the renewal process quicker for individual convinces. Tibetans derive their impression of security from those experiences and interactions with concerned offices in the host country.

Along with their legal position, Tibetans frequently endure victimisation based on gender and race. Such insecurities instil terror in oneself and fellow Tibetans who have suffered from comparable insecurities. The phrase "moral panics" (Stampnitzky and Mattson 2015) generates substantial social unease and negative governmental responses that exacerbate disparities and compel Tibetan migrations to the West and other regions. Tibetans are concerned about policy changes that could endanger their status to remain in India as refugees.

On the other hand, the experiences of refugees appeared to restrict their ability to survive in India without legal recognition. The state's interest in implementing rights or policies to protect Tibetans and Indians is less optimistic. However, certain conditions cause refugees to question their safety in the host nation. Young refugees highlighted the existing policies and services that help their status (sipri 2016), yet some legal conditions continue to be one of the most significant aspects that cause insecurity. Along with legal requirements, refugees also have to overcome economic upgradation, safeguard livelihoods, social prejudice, and political marginalisation. However, the legalism of the 'right' is only a starting point, and measures for government accountability cannot be limited to legal challenges because minorities are an essential vehicle for voicing citizens' voices.

3.5: The Struggle of Dignity

There are various definitions and discourses about the word dignity. In the case of refugees, the word dignity is referred to equal treatment, absence of discrimination, and treating others as worthwhile. United Nations states, "All human beings are born free and equal in dignity and rights" (Rights 2021).¹³ This means all human beings deserve respect and equal treatment; therefore, human rights spring from dignity. By violating this right,

¹³ As per UN Declaration of Human Rights (Article 1)

nation-states divide people based on their nationality, and those who do not fit within the category are abandoned and denied rights. Lack of equal treatment and rights causes a feeling of lack of dignity among people, particularly those refugees. Human dignity is also subjective and relative dimensions (Eddy, 2007). For young Tibetans, satisfaction is personal since it speaks to each individual's sense of self-worth and self-respect. Nonetheless, this self-perception and the content of human dignity are significantly influenced by the individual's social, historical, and cultural background. At the same time, few would dispute that nationality and the fact of belonging to a polity play essential roles in the realisation, if not the existence, of fundamental human rights; the argument presented here is based on the premise that refugees' inability to access and enjoy their human rights is not primarily due to their lack of effective citizenship.¹⁴

Several participants expressed that even though they pay taxes to the Indian government the same as Indian citizens, they are still barred from the right to vote due to a lack of citizenship rights. They are hoping for voting right to demand the same rights as Indian citizens and acknowledge their participation. While roads near Indian villages improved, the government often ignored the road leading to the Tibetan settlement. Such treatment increases their likelihood of feeling degraded and humiliated. Sonam, a Tibetan refugee in the Bylakuppe, expressed his belief that the position of dignity can be attained through exercising citizen rights and voting for the appropriate candidate. Such feeling of deprivation of dignity is stronger among the younger generation than older, and this is probably due to their greater access to the outside world.

In contrast, first-generation Tibetans only had limited mobility opportunities outside their community (settlement). Therefore, younger Tibetan refugees were more likely to experience the awareness of their dignity than their elder counterparts. As a result of their feelings of exclusion from contributing to the advancement of the local community, many of the respondents desire a status of dignity in mainstream Indian society.

3.6: Exemplary of Tibetans in Other Countries

In his 2008 book, MacPherson (2008) explores the history of the Tibetan refugee exodus to the West, focusing on the movement in the early 1960s (MacPherson, Bentz and Ghoso 2008). Around 1,500 Tibetans were transferred to Switzerland by the Swiss Red Cross in 1960, which launched the Tibetan movement (Wu 2010). The Tibetans who migrated to the West obtained higher levels of education and prospered economically than

¹⁴ Ibid page 3

those in South Asia and Tibet (Seonaigh, Bentz and Ghoso 2008). Similarly, we can find Tibetan diaspora in Europe, the United States, and Southeast Asian nations. As per the latest report by the CTA, about 45 percent of the Tibetan diaspora is located outside India (Administration 2020).¹⁵

The majority of Tibetans located outside India are citizens of the host country. Tibetan diaspora outside India has achieved better socio-economic development and, most importantly, secured legal protection and rights with citizenship. Some Tibetans are actively involved in the host country's local political and administrative system and use it to empower other Tibetans and create awareness about the Tibet issue. A few prominent Tibetan-Canadian and Tibetan-American like Bhutia karpuche¹⁶, Chemi Lhamo, Lhadon Tenthong, Professor Tsering Sakya, Professor Tashi Rabgey and Lobsang Rabgey have been playing a significant role in their new host country raising awareness about the Tibet issue and the government support for the Tibet issue. They are activists, politicians, and academicians. They are example of how acquiring citizenship can contribute positively to the Tibetan political movement. Tibetan community in the West have been successful in preserving Tibetan identity and nationalism this raises an important question against those who rejected or opposed Tibetan refugees in India considering Indian citizenship based on the argument that it might have a negative impact on the Tibet issue.

The advanced socio-economic and political development of the Tibetan diaspora in the West inspires many participants to intend to relocate abroad for better socio-economic and political status.

4. Legal Empowerment

According to 2001 research by the Asia Foundation in San Francisco, legal empowerment is "the use of law to strengthen the influence that disadvantaged populations have over their lives" (Golub 2010). It is the process by which those disadvantaged within the state are protected and allowed to use the legal system to pursue their interests and rights (Empowerment 2008). The legal empowerment strategy in this study strives to incorporate the best practices in the formal legal system and achieve accessibility, legitimacy, and openness to minorities (*Ibid*). From the participants' point of view, legal

¹⁵ See "Baseline Study of the Tibetan Diaspora Outside South Asia", Published by SARD, CTA.

¹⁶ More on Bhutila Karpuche see Bhutila Karpuche - Parkdale-High Park, Chemi Lhamo, see Choose Chemi (chemilhamo.com), Lhadon Tenthong see Lhadon Tethong – Tibet Action Institute, Tashi Rabgey see: <https://elliott.gwu.edu/tashi-rabgey>. Lobsang Rabgey see: Dr. Losang Rabgey | Mountainfilm Festival, Telluride CO

empowerment guarantees them access to equality to various rules of law, such as property ownership, business rights, and educational and identity rights.

“Legal empowerment” involves reversing this trend by giving people the ability to comprehend and apply the law (Goodwin and Maru 2014). It also offers a sense of improvement in the administration of justice in refugee settings by strengthening the status and justice system of the host to provide justice and seek justice. It can also significantly impact the exercise of power in protracted refugee circumstances by increasing refugees' ability to hold influential individuals responsible for their conduct. The refugees were previously denied access to justice, the law of the nation-state, and property, labour, and business rights inside the Tibetan Diaspora. The legal awareness and empowerment efforts aid refugees in asserting and exercising their rights and redressing the power-failure holders to meet their legal commitments.

Institutional Integration can be addressed for Tibetan refugees by examining the initiatives initiated by the government of India or other nations for greater integration. This institutional convergence between the Indian government and CTA could benefit the refugees by uplifting their socio-economic, political, and legal well-being. However, the decision to implement the policies depends on the policymakers with cooperation from the refugees (Zhang and Sun, 2019) and expand the coordination areas under the conditions of a pact (Francesco Paolo Mongelli, 2015). Furthermore, to guarantee Tibetans have full access to all their rights, the initiative's programmes and administrative processes must be planned, monitored, and reviewed transparently to complement one another.

Tseten (was refugee), now an Indian citizen who has resided in India for many years, has adopted several customs and practices of the host community as part of their daily lives. He considers himself half Tibetan and Indian. He argued that legal empowerment is important for Tibetan refugees. He elaborated that due to a lack of legal rights, Tibetans are subjected to different kinds of restrictions and insecurity and vulnerabilities.

5. Discussion

It has been over seven decades since Tibetans have been living as “foreigners” in India. The Tibetan community constitutes an old(Who came from Tibet) and new generation of those born and brought up in India. Irrespective of spending seven decades in India, Tibetan refugees have managed to maintain a strong sense of Tibetan nationalism and identity. Given that India is home for the largest number of Tibetan refugees and also home

for the Tibetan government in India, there is peculiar attention raised on the debate concerning the legal mobilisation of citizenship for Tibetan refugees. While almost half of the Tibetan diaspora population was located outside India and no question was raised of their right for citizenship. The study finds that within the Tibetan community, there is a lack of encouragement for those supporting the legal mobilisation of Indian citizenship for Tibetan refugees. Therefore, it is difficult for young Tibetans to choose Indian citizenship while being Tibetan nationally or ethnically. Even though Tibetans have adopted many Indian customs and developed a unique sense of connection with India, it is difficult for them to call themselves Indian.

Nevertheless, India is home to thousands of Indian Tibetans. The idea of preserving Tibetan identity as refugees and not acquiring citizenship for the more significant cause of the Tibet issue remains strong among Tibetan refugees in India. Such ideas and a sense of nationalism have prevented them from changing and advancing within the community. In other words, such feelings of long-distance nationalism have contained and discouraged those seeking Indian citizenship. There is also a lack of knowledge and understanding about the legal provisions. As a result, it creates confusion and misunderstanding among Tibetan refugees in India about citizenship rights.

The feelings of refugees are communicated through the social-emotional transition from their personal experiences and past lived experiences, notwithstanding their limited knowledge of the current political regime. Their claim to Indian citizenship and the maintenance of Tibetan identity will continue to be contested in the foreseeable future.

Some young Tibetan refugees demonstrate political confidence in keeping their nationality above their citizenship. The countless fundamental rights to education and medical treatment, property ownership, marriage and family formation, and legal protection, are denied to a person without citizenship. Citizenship is instrumental in empowering the socio-political status of Tibetans in India and the Tibet issue. Tibetan in the West has provided the best example for Tibetan refugees in India.

6. Conclusion

Tibetan refugees in India experience political mobilisation due to the policies of the host government and other assisting nations. Over time, the political situation of Tibetan refugees has evolved. According to Basu (2008), it is intriguing to learn that Tibetans were able to preserve their old culture and maintain healthy relationships with local Indians and

that despite all aspects of mobilisation, they still aspire to return to their native Tibet. Considering the contribution of youthful generations' ideas, whether individual or collective, to societal change, is crucial. This force of ideas toward social transformation in beliefs and ideologies is mainly seen in young Tibetans, who are enthusiastic about learning new changes. Even in Tibetan society, the revolution of conceptual change and the infusion of such ideas significantly alter the entire community or organisation system. Tibetans claiming citizenship have organised social and political transformation processes in the diaspora community due to the Indian government's introduction of the concept of citizenship choice. However, as refugees or stateless individuals with limited access to legal rights, Tibetan refugees are vulnerable to their long-term survival.

The concept that the law, evolving societal norms, and individual circumstances are fundamental to the crucial step of identifying and categorising events or incidents as legally actionable contrasts significantly with the vast majority of recent literature on legal services. Therefore, legal mobilisation is spread not by establishing new laws but by altering social perceptions of the problem's existence and the legitimacy of official engagement. Tibetans of both the younger and older generations have grown to accept one another's justifications and to walk together as Tibetans without distinguishing between RC and Indian passport (Refugee or Indian citizen). Tibetans of Indian citizenship enjoy a particular place in the de facto sovereignty of the Central Tibetan Administration (CTA); however, they remain tied to the de jure sovereignty of the Indian legal system.

Chapter Five

Problems of Uyghur Refugees in Turkish States: Case of Türkiye¹

Abdürreşit Celil Karluk²

1. Introduction

It is well-known that Uyghurs are of Turkish(Türk) descent and have been the natives and sole owners of East Türkistan since an unknown time in history. West Türkistan consists of Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan, and Turkmenistan and shares the same ethnic ancestry, culture, and faith as the Uyghurs. Before the Russian and Manchu-Qing occupations, Türkistan was an integrated region of economy, culture, and civilization whose political borders were not defined. Hence, the population frequently moved within this broader region. The Russian and Manchu Qing occupation caused the population to flow from West Türkistan to East Türkistan or from East Türkistan to West Türkistan. Therefore, the Uyghur population can be found in West Türkistan Republics (Central Asian Republics).

The East Türkistan region is today within the borders of the People's Republic of China (PRC), and its official name in China is 'Xinjiang Uygur Autonomous Region (新疆维吾尔自治区, XUAR)'. The Soviet-China cooperation removed the East Türkistan Republic (established 1944). After the Chinese occupation, the CCP reconstructed the region and renamed it Xinjiang Uygur Autonomous Region (1955). However, the government has never implemented the promised autonomy for Uyghurs as a result of the Chinese bureaucracy tradition of "上有政策,下有对策" (the higher authorities have policies, the more localities have their countermeasures) (Ding, 2002; Bovingdon, 2004).

Moreover, the rights and minorities-friendly laws promised to minority and non-Chinese people, such as the Territorial Autonomy Act, adopted by the People's National Congress in 1984, have never been implemented and only exist in documents

¹ This paper was developed on the basis of the author's previously published research article.

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(Bovingdon 2004: 42-43; Ertürk 2016: 22). The minority nationalities policy in the People's Republic of China has undergone fundamental changes after 1990, especially in the East Türkistan and Tibet regions, gradually shifting to a structure similar to the colonial system (Sautman, 2000). A recent book by Sean R. Roberts (2020: 21-62) revealed with academic data that the colonial rule of China began in 1759 and that the process continues. The increased number of Chinese immigrants plus the government's discriminatory policies resulted in the marginalization of Uyghur, Tibetan, Mongolian and Yi. They have distinct histories and solid ethnonational cultures throughout history (Nayal, 2012: 61-64).

After 1997, the CCP accelerated its policy and practices of marginalization and exclusion of the Uyghurs in China and abroad. In this context, the CCP regime has arrested Uyghur businessmen, clerics, intellectuals, artists, and opinion leaders of society in East Türkistan because of their so-called "hard strike campaign/严打" and punished them most severely. Even if its implementation violates the current Chinese laws, on the other hand, CCP tightened the prosecution of Uyghurs living abroad. Tracking, harassing and pressuring them, and even arresting and bringing back the Uyghurs in Muslim countries under the influence of China, especially those belonging to the Shanghai Cooperation Organization (SCO).

Moreover, the CCP regime has engaged in unprecedented transnational repression that involves 28 countries worldwide. China's Transnational Repression of Uyghurs Dataset examines 1,546 cases of detention and deportation from 1997 until March 2021. It offers a critical insight into the scope and evolution of the Chinese government. It shows that its efforts to control and repress Uyghurs across sovereign boundaries³ have consistently risen. Moreover, it accelerated dramatically with the onset of its mass surveillance system and Nazi-style concentration camps establishment in East Türkistan in 2017. Also, there is a clear correlation between repression at home and abroad.

³ Christian Shepherd, China's aggressive efforts to bring back fugitives grow more brazen, Washington Post, April 29, 2022, <https://www.washingtonpost.com/world/2022/04/29/china-deportation-cyprus-uyghur/>, visited: 10.05.2022.

Countries with Highest Numbers of Cases of China's Transnational Repression of Uyghurs

Country	Cases
Thailand	425
Türkiye	399
Egypt	231
Malaysia	188
Kirgizstan	75
Pakistan	57
Afghanistan	40
Kazakhstan	23
Cambodia	22
Myanmar	17

Source: No Space Left to Run China's Transnational Repression of Uyghurs, https://uhrp.org/wp-content/uploads/2021/06/Transnational-Repression_FINAL_2021-06-24-2.pdf, visited: 12.04.2022.

China successfully used the Shanghai Cooperation Organization to pressure neighbouring countries, including Kyrgyzstan, Uzbekistan, Tajikistan, and Kazakhstan, to cooperate in the refoulement of Uyghurs to China. Under pressure from Beijing since 1996, these Central Asian countries have effectively silenced independent Uyghur organizations on their soil and, on several occasions, have repatriated refugees in response to requests by China. The Chinese government executed some of those refouled refugees upon their return.⁴

It is not unknown that the CCP regime, which developed very close and some special relations with Türkiye, especially during the A.K. Party rule (2002-), started to eliminate the possibility of living in peace and tranquillity for Uyghurs living in Türkiye. Türkiye was the only haven for the Uyghurs in the Islamic world. However, the fear arose after Türkiye deported a woman with two babies named Zinnetgül Tursun to China via Tajikistan. The allegations made by the leader of the Future Party and the data reflected in the international

⁴ Amnesty International 2008, 'Amnesty International Report 2008 – China', 28 May 2008, <https://www.refworld.org/docid/483e2782c.html>, visited: 11.05.2022.

media have generated serious fear and hesitation among Uyghurs living in Türkiye.⁵

In this chapter, the author mainly focuses on Uyghur refugees, the majority of whom came to Türkiye via Southeast Asia. It addresses why and how the Uyghur population had to migrate from their homelands to foreign countries, especially the Turkish states in Central Asia (aka West Türkistan) and Türkiye. This study provides first-hand information about the current situation of these Uyghur refugees in Türkiye and the problems they encounter.

The interview data used in this article were collected on various dates in Istanbul (Sefaköy, Zentinburnu), Ankara, and Kayseri. In addition, this study aims not only to cover the complex situation of Uyghur refugees and the main problems they had to face but also to examine the consequences of the political situation from a humanitarian perspective.

2. The Main Reasons for Forcing Uyghurs to Migrate from their Motherland

The homeland of the Uyghurs, named East Türkistan today renamed as Xinjiang by the CCP, was turned into a region marred by war, massacres, and turmoil after the Manchu-Qing invasion. The Fergana valley of West Türkistan became an essential shelter for the Uyghurs while escaping from war and massacre during this period. (Clark and Kamalov, 2004). Similarly, East Türkistan has been an important shelter from time to time among those fleeing the increasing Russian and Soviet persecution in West Türkistan. The last mass migration of Uyghurs to West Türkistan happened during the CCP period. The migration of over 100,000 Uyghurs and Kazaks from East Türkistan to the USSR in the Ili Valley region from 1954 to 1963 was a major historical event and the last of a series of related migration movements across the Chinese-Russian border in the Ili Valley (Ibid, 2004: 167). Increasing multilateral relations with the Turkish states that emerged because of the disintegration of the USSR initially (generally 1990-2008) allowed the Uyghurs to travel to and from these countries more easily. During this process, it was known that a significant number of Uyghurs were and continued to be in Kazakhstan, Kyrgyzstan,

⁵ Uygur Türkü Zinnetgül Tursun nerede? Doğu Türkistan Meclis Başkanı: Çin'de hapiste... Göç İdaresi: İade edilmedi, Türkiye'de...

<https://www.yeniakit.com.tr/haber/uygur-turku-zinnetgul-tursun-nerede-dogu-turkistan-meclis-baskani-cinde-hapiste-goc-idaresi-iade-edilmedi-turkiyede-863113.html>, visited: 22.20.2022; İçişler Bakanlığı, Davutoğlu'nun "50 bin Uygur Türk'ü Çin'e verecek" iddiasına yanıt verdi,
<https://www.haberler.com/son-dakika-haber-ismail-catakli-dan-davutoglu-na-yanit-bu-iddia-tam-13460522-haberi/> visited: 11.08.2020; How Turkey is sending Muslim Uighurs back to China without breaking its promise
<https://www.telegraph.co.uk/news/2020/07/26/turkey-sending-muslim-uighurs-back-china-without-breaking-promise/?s=09> visited: 11.08.2020.

Uzbekistan, and Tajikistan for various reasons, primarily for trade. Naturally, a large population of Uyghurs, who escaped from the pressure, assimilation, and exclusion that constantly increased after 1994 in East Türkistan, first came to these republics.

Beyond being a brother country in the historical memory of East Türkistan, Türkiye is a country that has historical ties Kashgar-İstanbul relations that developed during the Kashgar State/Emirate (1864-1878). Therefore, after the Manchu-Qing reconquest of East Turkestan in 1878, İstanbul became a safe haven for the people of East Türkistan. The last migration from the region to Türkiye was a group that came through Afghanistan and settled in Kayseri as resident immigrants.⁶ Those who arrived in the later processes were generally free immigrants who came and settled individually after the Cold War. Here, another large number of Uyghur immigrants or asylum seekers, who are our primary research subject, came or were brought via Southeast Asia, especially after the Shaoguan lynchings and Ürümqi Massacre of June-July 2009 (Karluk, 2020).

After the Cold War, the Uyghurs left the region individually, despite difficulties such as obtaining a legal passport being nearly impossible (Roberts, 2020: 182), roads being almost closed, and neighbouring countries being completely pro-Chinese cooperation. People who fled or were abducted in large numbers from China's southern borders after 2013 are the subject of the general policy that we will focus on below.

Between 2012-2015, cooperating with organized human traffickers in the southern borders of China, the most critical part of Uyghurs, who first crossed the frontiers of Vietnam, Thailand, and Laos to reach Malaysia, then most of them arrived in Türkiye. (WUC, 2016: 8; Roberts 2020: 182-185).⁷ The majority of Uyghurs arrested in those countries faced deportation. However, due to the initiative Türkiye took, some of them

⁶ For the detail of this group immigrations please see: Abdürreşit Celil, Türkiye'ye Göç eden Uygurların Sosyo-Kültür Yapıları (Socio-Cultural Strucutions of the Uyghur Migrant in Türkiye), Hacettepe Üniversitesi, Sosyal Bilimler Enstitüsü, Sosyoloji Anabilim Dalı 1999. Yayımlanmamış Yüksek Lisans Tezi (Unpublished master thesis).

⁷ Uighur Refugees in Southeast Asia, <https://worldview.stratfor.com/article/uighur-refugees-southeast-asia>, visited: 10.06.2018.

Kanat, Kılıç Buğra, "Uighur refugees, China's power and what to do about it?", Daily Sabah, 1 December 2014, <https://www.dailysabah.com/columns/kilic-bugra-kanat/2014/12/01/uighur-refugees-chinas-power-and-what-to-do-about-it>, visited: 07.06.2018; Huffington Post, "UN 'shocked' after Thailand sends back Uighur refugees to China", 9 June 2015,

<https://uyghuramerican.org/article/un-shocked-after-thailand-sends-back-uighur-refugees-china.html> visited 06.06.2018; Although it is not an SCO member country Thailand often repatriates Uyghur refugees to China. The motive behind the repatriations may be explained by the economic relationship between the two countries. See Robert Potter, "Why Thailand returned the Uyghurs", August 5, 2015, The Diplomat, <https://thediplomat.com/2015/08/what-thailand-returned-the-uyghurs/>, visited: 08.06.2018.

could come to Türkiye.⁸ For example, the Turkish media and the Turkish government began dealing with these people when 220 illegal immigrants arrested in police raids on forested land in Thailand in March 2014 introduced themselves as "Türks" in the identification control⁹ (Roberts 2020: 183).

Although the Turkish media touched on the issue to a limited extent in 2014 and 2015, the Turkish citizens also pressured the Turkish government on social media and in various arenas about the subject.¹⁰

Today, most Uyghur refugees in Türkiye are people who came to Türkiye through Southeast Asia. However, a small portion of these refugees are students who took refuge from Egypt to Türkiye in 2017.

⁸ 173 Uighur refugees arrive in Turkey from Thailand,
<http://www.hurriyetdailynews.com/173-uighur-refugees-arrive-in-turkey-from-thailand-84912>, visited: 22.05.2018

⁹ Tayland'da ormanda 220 Türk mülteci bulundu,
<http://www.milliyet.com.tr/tayland-da-ormanda-200-turk/dunya/detay/1851146/default.htm>, visited: 08.06.2018;
Uygur Türklerinin Çin'e teslim edilmesi tepkisi,
<https://www.sabah.com.tr/dunya/2015/07/09/uygur-turklerinin-cine-teslim-edilmesi-tepkisi>, visited: 09.06.2018.

¹⁰ Turkish help for Uighur refugees looms over Erdogan's visit to Beijing,
<https://www.reuters.com/article/us-turkey-china-uighurs-insight/turkish-help-for-uyghur-refugees-looms-over-erdogan-visit-to-beijing-idUSKCN0Q10PM20150727>, visited: 12.05.2018.

Figure: Uyghur Refugees Across the World



Source: <https://worldview.stratfor.com/article/uighur-refugees-southeast-asia>,

Visited: 10.06.2018

3. Uyghur Refugees from the Southeast Asia Route

While the exact numbers of Uyghurs who left China through Southeast Asia between 2010 and 2014 may never be known, these activists claimed to have successfully transferred some 10,000 Uyghurs from Malaysia and Thailand to Turkey between 2012 and 2016 (Roberts 2020: 183-184). The current population, estimated at more than 10,000 in Istanbul and Kayseri, continues their lives under harsh conditions (Wuc, 2016: 12).¹¹ Others remain in detention centres in Malaysia and Thailand. It is important to emphasize this critical situation so that they have been able to cross from the well-protected Chinese borders to Vietnam and Thailand illegally with their families (Wuc, 2016: 7-12). Human

¹¹ Turkish help for Uighur refugees looms over Erdogan's visit to Beijing,
<https://www.reuters.com/article/us-turkey-china-uighurs-insight/turkish-help-for-uighur-refugees-looms-over-erdogan-visit-to-beijing-idUSKCN0Q10PM20150727>, visited: 12.05.2018.

Smugglers were involved in the process of mass departure from China. However, in China, where all kinds of control and surveillance towards the Uyghurs are very harsh, this migration couldn't occur without the Chinese government's guidance and involvement. The study filed knowledge reveals that a group within the CCP regime encouraged and managed this migration to justify their baseless claims of "religious extremist, separatist, terrorist" or even "connected to global jihadists", asserting suppression of religious freedom and ethno-national identity of Uyghurs.

The data obtained from our interviews with the subjects participating in this migration convoy also support our thoughts. They declared that they later realized they were included in a big game and were taken abroad and directed to war zones. Furthermore, during the field visit to Kashgar in 2012, I witnessed some bearded or religious-looking people distributing propaganda videos of jihadists among the Uyghurs prioritizing emigration (Hijret) or joining the jihadists in Iraq and Syria. During this period, the Chinese government imposed severe restrictions on religious activities. Therefore, some local people wondered how such preachers could travel freely.

One NGO official working on fulfilling Uyghur immigrants' various needs in Istanbul expressed the following opinion on this group.

"The emigration of these people from East Turkistan started with the actualizing of conditions masterminded by China, which lasted for six years. After that, most of the 10 thousand young people (which could be 15 thousand) who were getting fed up with pressure and oppression participated in this migration flow and came to Turkiye".

An Uyghur refugee participating in my research gave the following response to the question about "why did you migrate" from China:

Who would leave places of birth, relatives, and friends and seek peace in foreign lands? We were desperate; we couldn't have done what the Chinese ever said and what the Chinese ever wanted. They did not give us any of our rights guaranteed by China's Constitution and religious belief law. On the contrary, the authorities in China arrested and tortured and killed those who dared to raise their voice. The secretaries of the Chinese Communist Party openly told us, 'I am the law; what I say would happen. They were doing and getting what they wanted. They tried to hit us from our most sensitive parts. At first, they applied for abortion, then they forbade our religion, and finally removed our language from education. They took our 16-year-old girls forcefully to work in mainland China. They resorted to unimaginable ways to test whether we fasted during Ramadan. They even

reward bad people who drink and steal. When we said something against it, they did not cut our tongues directly. Still, they did everything else, a heavy fine, sentenced to jail without interrogation, torture, and indefinite employment in labour camps. In brief, we had no choice but to escape...." (Interviewee: Male, married, 50 years; Interview Date: 20.08.2016; Interview location: Kayseri bus station).

Another refugee answered as below:

"Cameras are all over the streets outside of houses in East Türkistan. If we want to go to another district, another place, or even my sister's house, we must inform the security unit about my movement and get permission from them. Once we arrive, the host/owner of the house at the destination again has to report to the security unit that we came at that time and give their I.D. number."(Interviewee: Women, 74 years, Widow, Kashgarian, Interview Date: 28.10.2017; Interview location: Zeytinburnu)

4. Current Situation and Challenges

Türkiye is the most important country where the Uyghur population took shelter after the Second World War. This situation has become more visible in recent times. In parallel with the increasing Uyghur population in Türkiye, the Uyghur problem has become important in China's policy towards Türkiye. It has become more evident in the practices and discourses, especially after 2017, that this situation is frequently on the agenda in bilateral relations and official meetings of the leaders, and the Chinese thesis is imposed on the Turkish side. As Turkish-Chinese relations developed in favour of China, Uyghurs in Türkiye faced various difficulties, and the fear of being sent back to China became commonplace among a particular group of Uyghurs. As a result, they resorted to dangerous ways to go to safer countries from Türkiye. Uyghur refugees in Türkiye have been trying to survive in Istanbul Zeytinburnu, Sefaköy regions, and Kayseri under challenging conditions for the last five years. However, they always encounter the same problems: legal residence permit, health, accommodation, work permit, education, and security.

In November 2017, One NGO official who is closely interested in the various problems of this group gave the following information about the issues they face:

"So far, these people do not have any official status. As a result of many years of negotiations, advocacy and campaign, the government finally granted them the right to apply for residence permits. However, because of their strange, complex conditions and incomplete documents, only a few people could get their residence permits. Therefore, they

face serious problems, including their jobs and children, such as health and, most importantly, accommodation. We applied both to the state and government bodies and NGOs. However, no significant step is yet to take. I want to point out that these tragic dimensions severely impacted their health conditions, and there have been critical incidents lately. Recently, an increasing number of irregular and random detention and arrest operations are turning the lives of Uyghurs into hell in Türkiye. The Uyghurs are constantly in fear and anxiety. 90% of the detainees are innocent. Ironically, the real criminal wanders freely in the streets...."

In line with China's policies against the Uyghurs, the arbitrary police operations against ISIS further targeted the Uyghur community in Türkiye. Indeed, it is no secret that China wanted all Uyghurs abroad to deport back to China. For example, Abdulkadir Yapçan, who lived in Istanbul since 2001, was one of the Uyghur leaders. He was an activist and advocated for the independence of East Turkistan. However, Turkish police arrested him in Istanbul on the ground of a "red bulletin" that China had issued. The case was pending for decades, despite the scant evidence China has provided for the alleged crimes of Yapçan. As a result, the Turkish government restricted his freedom.

Therefore Yapçan has been living in a stressful situation. Lately, the Turkish government has also intensified political activities related to East Turkistan. For instance, it shut down "İstiklal TV", the voice of the Uyghur Turks in Türkiye.¹² Furthermore, the increased attack against Uyghur and Uyghur activities in Türkiye indicates growing Chinese influences. A particular concern is the increased arrest of Uyghurs living in Istanbul and Kayseri and their transfers to repatriation centres. These developments in the Uyghur refugee community have caused insecurity and concern in the thousands of Uyghurs who do not have Turkish passports or long-term legal residence permits. Therefore, they have started to seek ways to go to safer countries.

Furthermore, Uyghurs cannot obtain citizenship rights because those who fulfil the 'five years' residence requirement in Türkiye face difficulties in the civil registration offices. For example, some documents such as Birth and Marriage Certificate, which are impossible to obtain from China, are persistently demanded by civil servants, and sometimes even the behaviours of civil servants toward Uyghurs are rude. To validate similar complaints, the author of this article went to the citizenship office with a young Uyghur living in Ankara

¹² Police Crackdowns on Isis and the Consequences for Refugees from The Caucasus and Central Asia in Turkey, <http://www.vocaleurope.eu/police-crackdowns-on-isis-and-the-consequences-for-refugees-from-the-caucasus-and-central-asia-in-turkey/>, visited: 10.06.2018.

for eight years. They witnessed the civil servants rude and arbitrary behaviours and hurtful words to eject this Uyghur youth.

On the other hand, one of the most critical problems experienced by the Uyghurs is safety issues and the bad feeling of constantly being threatened. This situation has caused severe psychological depression in migrants and revealed the problem of immigrants living in the sense of insecurity. This situation is because the security units of the Chinese state, especially the intelligence services, keep Uyghurs living abroad under stringent monitoring. For example, in early 2019, a Uyghur man named Yusupjan Amet claimed that the Chinese government had recruited him to spy on the Uyghur exile community in Türkiye, Afghanistan, and Pakistan beginning in 2012.¹³ Amet claimed that his spy work, which he agreed to after authorities threatened his family back in East Turkistan, resulted in the imprisonment and rendition of members of those diaspora communities. In the fall of 2020, he was shot in the back by an unknown assailant in Türkiye, who Amet told Radio Free Asia that he believed was working on behalf of the PRC.¹⁴

Those who have relatives within the borders of China can only get in touch with them through a messaging application, WeChat. Those who download this application to their cell phones fall into the traps of related security units, giving them full access to the device and allowing them to monitor all the conversations. Moreover, local authorities have managed to control the Uyghurs abroad with irrational practices such as taking their relatives as hostages and imprisoning them. In this regard, one of the refugees has provided the following information:

"They searched my mother-in-law's house and took my wife's brothers because we escaped abroad. My mother-in-law got sick from fear and then became hospitalized. And we cannot hear this from them, we heard it indirectly from other sources, and they told us what happened. The last time we had a conversation with her, she said, "Promise me that you will not be involved in anything there, that you will not betray China, then record this verbal promise with your voice and send it to me on WeChat. I can show it to the policemen when they ask." Thus, my mother-in-law said, "If you care about us, don't do anything wrong there. Don't be friends with anyone, just go to work and come home, don't talk to anybody. Because they oversee you there." (Interviewee: Woman, 38 years, married; Interview date: 28.10.2017; Interview location: Zeytinburnu, X NGO office)

¹³ Steve Chao, "Exposed: China's surveillance of Muslim Uighurs," Al Jazeera, February 1, 2019, <https://www.aljazeera.com/features/2019/2/1/exposed-chinas-surveillance-of-muslim-uighurs>, visited 12.11. 2021.

¹⁴ "Self-Proclaimed Uyghur Former Spy Shot by Unknown Assailant in Turkey," Radio Free Asia, November 3, 2020, <https://www.rfa.org/english/news/uyghur/spy-11032020175523.html>, visited 12.11. 2021.

Another problem that they have encountered is social exclusion. For example, many Uyghur refugees in Istanbul emphasize being labelled as "*Chinese*" by the locals, and Uyghurs perceive it as humiliating and feel excluded when locals label them as "Chinese".

"The children were very excluded in their schools. They called my kids Chinese. Then my children asked me, "Mother, we are Muslims, and why do they call us Chinese here?" And I tried to explain this to my kids. "They call you Chinese by looking at your physical appearance since they do not know East Turkistan and East Turkistanis. We are, of course, Muslims and original Turks." (Interviewee: Woman, 38 years, married; Interview date: 28.10.2017; Interview location: Zeytinburnu, X NGO office)

Another point that draws attention during the research is the "Children without Parents" problem. These children's parents are the people who trade suitcases between Ürümqi and Istanbul and who returned to East Turkistan in March 2017, following the call of the security units in their home country and could not come back to Türkiye. These children, estimated to be in the hundreds, attend all primary and secondary education levels in Türkiye. However, with the intensification of repression in East Turkistan, parents send these children to Türkiye for better educational opportunities. These people had no intention to educate their children in Türkiye but to receive a good education.

Since China took their parents to the camps after returning to East Turkistan, the school did not renew these children's registration in Türkiye, did not extend their residency, and caused an interruption in their education. There is no one to take care of these children, and the cost of living they need does not come from their hometown has been a different problem. On the other hand, the issues of fragmented families are of different dimensions. On the one hand, these families struggled with legal issues such as residential permits; on the other hand, they could not pay the house's rental fee and other expenses. The number of people in this situation is rising day by day. The condition of those who used the money they brought from the country has also started to deteriorate. Some people began to leave Türkiye illegally. A woman, the researcher, has known and followed closely and has managed to take refuge in Germany with her two children. One of the interviewees mentioned:

"...As you know, my husband traded between Ürümqi and Istanbul. We came to Istanbul to provide our children with a good education. Although it was costly, we registered our two children for college. The children were very successful. My husband was arrested and put in camps in Ürümqi at the beginning of 2017. We never heard from him again. We also finished the money he left us. The college administration made a discount

due to the success of the children. But I was unable to pay for it. Even though I wanted to work, I did not find it appropriate to go to illegal jobs as a woman because I did not have a work permit. I am a doctor who graduated from a medical university specializing in internal medicine, but our diploma equivalency was not counted as valid in Türkiye either. We no longer feel safe in Türkiye because many of my acquaintances were taken to remote centres by the police. Also, the Türkiye government extradited Zinnetgül Tursun to Tajikistan and then to China with her two children scared us even more. I left with trusting Allah and without informing you. Thank Allah. I reached Germany safely. I feel safe now".

(Interviewee: Woman, 40 years; Interview date: 12. 09.2019, 14:10)

5. Uyghurs Coming from Egypt

After the prohibition of religious education and teaching in East Türkistan, some Uyghurs who had good financial situations sent their children to Muslim countries, especially Egypt, to learn Islamic knowledge. As a result, Egypt became the country that accepted the most Uyghur students. It is estimated that more than three thousand Uyghur students have received an education in Egypt.

XUAR's new CCP leader Chen Quanguo insisted on unprecedented extreme security and assimilationist chauvinist practices in East Türkistan since January 2017 (Zenz and Leibold, 2017). However, the XUAR administration has requested that students, especially those studying in Islamic countries, return to China by putting the strain on them through their families. Students who returned to China following the call were immediately arrested at the airport or later imprisoned¹⁵ (Human Rights Watch, 2018: 144). The return has stopped with the spread of this news abroad. After reaching an agreement with the Egyptian Administration on July 05, 2017, Chen Quanguo's administration increased its pressure and began arresting students in Cairo universities, especially those at Al-Azhar University (Chung 2018). The news of hundreds of students arrested and taken to China has created alarm among the Uyghur students in Egypt.¹⁶ Those who could obtain Turkish visas fled to Türkiye.

According to the information obtained from SİM Foundation, which focused on Uyghur students coming to Türkiye from Egypt, the total number of students applying to

¹⁵ China Detains 12-Year-Old Uyghur Boy on Return to Xinjiang From Egypt,
<https://www.rfa.org/english/news/uyghur/boy-07242017153914.html>, visited 25.05.2018.

¹⁶ Lisa Barrington, Egypt detains Chinese Uighur students, who fear return to China: rights group,
<https://www.reuters.com/article/us-egypt-china-uyghur/egypt-detains-chinese-uyghur-students-who-fear-return-to-china-rights-group-idUSKBN19S2IB>, visited:26.05.2018.

them has reached more than 700. However, due to various unknown concerns, the number of students staying away from Eastern Türkistan NGOs. The problems this group has faced in Türkiye can be listed as follows:

- Since their connection with their parents was interrupted, they faced financial challenges, and many ran out of money. Especially the situation for married people with children is even worse.
- Due to the Turkish education system practices, it became impossible for Uyghur students to resume their education from where they left in Egypt.
- Those who could settle in universities through various channels started to work illegally at low salaries because they had no financial power to cover their daily living expenses, including tuition fees.
- Students generally suffer from mental breakdowns and psychological depression.

6. Conclusion

The Uyghur refugees said they had to leave their homeland because of China's assimilationist and discriminatory policies toward the Uyghurs. They came to Türkiye with the idea that the Chinese would no longer bother them and that they would be able to live comfortably. Unfortunately, due to increasing Chinese influence and pressure, the West Türkistan states have ceased to be a haven for the Uyghurs. Although Türkiye has allowed these people to enter and live in Türkiye, they were not given any legal status due to legislation reservation and Chinese pressure. Therefore, they cannot benefit enough from the opportunities and services of the Turkish state, like the Syrians.

Furthermore, Uyghurs suffer from financial difficulties, hopelessness, and psychological breakdown and have become the target of various cases of abuse. The Turkish People and multiple charities have tried to look after the people without official status. However, regardless of which route they choose to come to Türkiye, including those students, they continue to live in poor conditions with only the support of various Turkish NGOs, especially the Eastern Türkistani NGOs in their respective provinces. Therefore, Turkish state institutions must act as soon as possible to solve the problems of the Uyghurs in both groups and prevent them from being exploited by various organizations. Moreover, the lack of standardized support has made them dependent on aid. The following words of one of the Turkish staff, the director of the Saltuk Buğrahan Science and Civilization

Foundation operating in Istanbul, are very relevant:

"Today, while Syrian immigrants can benefit from all state facilities in Türkiye, including medical operations, East Turkistan immigrants cannot go to the hospital. For example, when the baby of our sister from East Turkistan died in the hospital where she gave birth, we almost could not even take the child's body because we could not afford the fee. Moreover, while Syrian are eligible for the temporary protection law, Uyghur Turks only eligible for the residence permit for Uyghur Turks. Moreover, there is a lot of hesitation in providing this right also. For instance, the residence permit is valid only for two years, and an extension is applicable if there is no case of a security breach during his stay. However, Uyghurs' life still presents great challenges in education, health, and work." (Interviewee: Male, 40 years, married, Turkish; Interview Date: 28.10.2017; Interview location: Aksaray).

It is almost impossible for Uyghurs living in Türkiye to return to China under current conditions. Therefore, the "extradition treaty" signed between China and Türkiye caused serious fears among the Uyghurs. Such fear resulted in Uyghurs resorting to illegal ways to take refuge in safer countries than Türkiye. Through the example of İdris Hasan,¹⁷ Uyghurs also know that there is a higher chance of them getting arrested in countries where China has a strong influence and deported to China. If the problems outlined above are not solved, it will undoubtedly trigger the emergence of more complex issues. Therefore, granting permanent residence to these people in Türkiye or other countries and offering the possibility of their naturalization is vital for solving their problems and, more importantly, ensuring their safety. Furthermore, Uyghurs see Türkiye as their second homeland, the only shelter where they can keep their faith and culture alive. Lastly, it must mention that the Turkish government has started to grant citizenship to some Uyghurs exceptionally in recent months due to numerous campaigns and public pressure.¹⁸

¹⁷ Bradley Jardine, China's repression of Uyghurs extends far beyond its own borders, <https://www.newstatesman.com/world/asia/china/2022/05/chinas-repression-of-uyghurs-extends-far-beyond-its-own-borders>, visited: 02.06.2022.

¹⁸ İstanbul İl Nüfus Ve Vatandaşlık Müdürlüğü, Uygur Türklerinin İstisnai Olarak Vatandaşlık Başvuruları, <https://nvi.gov.tr/istanbul/uygurturkleri>, Visited: 06.06.2022. In fact, the Bursa Provincial Population and Citizenship Office has published the list of Uyghurs to be granted Turkish citizenship on its official website: <https://www.nvi.gov.tr/kurumlar/nvi.gov.tr/IcSite/bursa/BursaUygur.pdf> visited: 06.06.2022

Chapter Six

The Chinese Communist Party's Assertive Assimilation Policies in East Turkestan: the Case of the Uyghur Diaspora in Turkey

Sadia Rahman and Erkin Emet

1. Introduction

In the last seven decades, China had implemented prejudicial and brutal ethnic policy in the East Turkistan, which is now called as the Xinjiang Uyghur Autonomous Region (XUAR). It has become pre-requisite resilience condition for the Chinese Communist Party (CCP) to implement such hard-line policy in Xinjiang to keep the interest of Party's political survival and interest. Therefore, it has become the Chinese Communist Party's (CCP) prerequisite resilience condition as it suits its political survival and interest. Since Xi Jinping's ascension to power in 2012, he has demonstrated a vision of establishing a monolith and unified Chinese nation. Relatedly, his repressive ethnic policies, in combination with the employment of hard power, are committed to the idea that there is only a single way of becoming Chinese, i.e., being part of the mainstream Han culture and practices. Xi's latest visit to East Turkestan on July 15, 2022, emphasized similar thoughts of the Chinese nation as a one-big family.

"Chinese Civilization is the root of the cultures of all ethnic groups in Xinjiang, and more work must be done to educate and guide officials and the general public to put the history of Xinjiang and their ethnic groups in the right perspective". (Wei 2022).

Previously leaked files on CCP's ethnic policies by *The New York Times* (2019) described the despicable situation the Uyghur community is subjected to. However, during the July visit, Xi explicitly stated that Uyghurs are of Chinese origin and Islam must be in Chinese orientation to avoid misguidance (Ramzy and Buckley 2019). This path of assertive assimilation the Uyghurs are undergoing has drawn an analogy as a modern-century concentration camp and repressive policies similar to the Nazi's treatment of Jews in 1933-39 (Harris 2010). In theory, the present assertive assimilation policies in

East Turkestan conform to the inclusive nature of nation-building, necessitating the elimination of features that are regarded unfit for the nation's essence. However, the current behavior of the Chinese state comes across as dumping all the threats to its domestic security in one basket and responding with exaggeration, hypersensitivity and severe measures. The call for a unified Chinese nation categorically emphasizes 'we-ness', which is Han-centric and relates to the politics of mediating identities and CCP's intolerance toward any competing ideology (ethnic/nationalism).

The dichotomy of inclusion and exclusion has been preeminent since the Republican period and was later continued by the CCP. The local Uyghur community has faced the exclusion of Turkicness as culturally outside of China (Millward 2007). The relational securitization of Han-centric Chineseness in official writings is informed by historical discourses (Carrico 2017). Although the ground situation started dramatically changing in 2014, it was in 2017 that the international community received a shock of detention of over one-million Uyghurs in East Turkestan. This raises the alarm and urges us to think about the shallowness of reform(s) in law and society and embark on progressiveness. It also questions the double standards toward human rights of an individual(s) overpowered by a state's claim of threat to territorial sovereignty. China has justified the strike hard on the Uyghurs under the pretext of counterterrorism efforts in East Turkestan. The CCP counterterrorism measures include amending National Security Law (NSL) broadly defining security threats and legalizing arbitrary detention, which China terms a 'vocational re-education center' (China Daily 2015), including the Anti-Extremism Regulation passed in 2016 to prevent the spread of extremist ideas (*Human Rights Watch* 2017). The same law was revised in 2018, granting local authorities in East Turkestan permission to establish re-education centers. Human rights experts and Sinologists such as James Leibold and Adrian Zenz have underscored that East Turkestan's region is turning into a police state. The local Uyghur community constantly lives under substantial surveillance, intimidation, arrests, harassment, detention and imprisonment.

Thus, the camp system, the measure of controlling the entire Uyghur community, demonstrates a zero-sum political struggle in East Turkestan. The CCP's intolerant political strategy under Xi and the deteriorating condition of the Uyghurs with the ideology of a unified Chinese nation will push China in an unpredictable direction. So far, through Xi's speeches, it becomes clear that he strives to weaken Uyghur's ethnic identity, which can be determined from his repeated mentioning of 'with the motherland, the Chinese nation, culture and the social road with Chinese characteristics' (China Daily 2022). Since taking control over the years, Xi has presided over several politburo meetings and instructions on

East Turkestan work, emphasizing the importance of establishing a shared national identity, i.e., the China Dream (*Zhongguo Meng*) (*Xinhua Net* 2020). Relatedly, the United Front Work Department (UFWD)¹ works to check and control the Uyghurs and whether they are engaged in illegal acts such as practicing Islamic customs not approved by the CCP. Rule by Law is used to quell the constitutional rights granted to ethnic minorities in China. For example, just like Document No. 7 (*Human Rights Watch* 1997) was introduced in the 1990s, explicitly stating arbitrary arrest and detention; similarly, Document No. 9, introduced in 2013, stressed strike hard and ruthless repression (China File 2013).

2. Puzzle

Contemporarily the Uyghurs in East Turkestan are facing massive attacks and the elimination of their ascriptive characteristics. Xi has raised the standard of strike hard by initiating a draconian internal security strategy such as (i) mass detention, (ii) rigorous ideological indoctrination in the concentration camp, (iii) use of coercion and policy of assimilation for those outside the camp. This concerns why the CCP revised and adopted a repressive ethnic policy (Leibold 2019). China officially claims it is a unified multi-ethnic society consisting of 56 ethnic groups, with the majority of inhabitants identifying as Han (Information Office of the State Council 1999 and 2003). And since PRC's inception in 1949, the ethnic policies have been through a phase of moderately assimilative to a cyclical phase of control through strike hard mechanism. Post-socialist transformation phase, the ethnic policies in the 1980s were moderate. It was described as a period of preferential policies with Uyghurs, including other ethnic minority groups. For instance, minority groups like Uyghurs and Tibetans were exempted from One China Policy and allowed to have more than one Child. Similarly, there were some preferential treatments given concerning education and job opportunities. However, with such moderate policy, the government also relaxed and encouraged the migration of Chinese to these minority areas, which resulted in the influx of Chinese migrants in Xinjiang. The moderate policy period remained short lived and in 1990s, the government started implementing more restriction on religious freedom of Uyghurs. As a result of increased Han migrants and its impact on the local economy and restriction on religious freedom, ethnic unrest and violence became a common phenomenon in the 1990s. Since then, the CCP employed various means to control the chaotic order by joining the camp of 'war on terror' post 9/11 and declaring itself a victim of Islamic terrorism, implementing a strike-hard campaign in 1997, followed

¹ The United Front Work Department (UFWD), one of the primary units that gather information, outlines roles and influence at home and abroad.

by the introduction of a bilingual program policy in 2004.

Post-2009 Urumqi riots, also known as the *Qi-Wu* incident, began the change in the course of ethnic policies. Under Xi's leadership, the nature and the degree of strike hard intensified with rendering them harsher. Xi practices a centralized system of governance, marking it as hegemonic. The counterterrorism measures target the Uyghurs' religion, culture, customs, and language to accomplish the assimilation agenda. Relatedly the puzzling phenomenon is, what motivated Xi to change the course of ethnic policy? Why did Xi adopt tyrannical approach to assimilate the Uyghurs assertively? Thus, the chapter attempts to decode why there is a major transformation in China's position as well as approach towards East Turkestan especially under the Xi Jinping. Concertedly it will expand the discourse on strike hard, including the details of digital surveillance. The scope of the paper also include a discussion on ramifications of the assertive assimilative strategy on East Turkistan and Uyghur Communities. Lastly an attempt will be made underscoring who should be blamed for implementing repressive policies—is it Xi or the party?

The methodology adopted to empirically analyse the situation is critical discourse analysis (CDA), supported by the interviews that was conducted with stateless Uyghurs in Turkey, forming our primary data that aided in empirically understanding the on-ground situation. The ethnographic study conducted in Turkey contributed to empirical understanding of the nature of repression in East Turkestan. The affected Uyghurs families in Turkey whose family members interned in concentration camps ensure representations of implicit and explicit socio-political conditions and the emerging contradiction(s) in CCP's governance. Embarking in three different cities, Ankara, Istanbul and Konya in Turkey and visiting Uyghur schools, non-Governmental Organisations (NGOs) and welfare associations unfolded China's drive towards homogeneity. Also learned about ethnonational/Uyghur identity, culture, customs and differences with the mainstream Han cultural practices. Interview was recorded with prior consent and conducted in the language preferred by interviewees (English or Mandarin). Although there was a set of questions prepared to conduct the session organically, most interviews were conducted informally to foster a relaxed environment. Questions changed according to the responses, and follow-up probes were made to extract further information and clarifications. The study documented the statement and opinion shared by the interviewees as and simultaneously quoted in the paper. With consent, the study uses real name as well name changed whenever necessary to protect the identity of the interviewees and their family. Through the ethnographic study, it reveals that arbitration detention of Uyghurs were conducted in highly confidential manner and therefore it is difficult to find whose turn is next and whereabout those detained. The

affected Uyghurs in Turkey came to know about the internment of their family members through a third party, or the family members, before being taken dropped a hint over phone conversations that they would be taken to a hospital because they were sick. Relatedly, It should be emphasize and document that the Uyghur families in Turkey are living in a challenging situation because all interviewees confirm that their family members were taken to re-education centres and facing incommunicado detention.

3. Why China's Position has Changed Dramatically?

In CCP's understanding, affirmative actions in the form of preferential policies for ethnic minorities and the Great Western Development Campaign or Go West (*Xi bu dakaifa*) were implemented to benefit the Uyghurs and control the conflictual situation. The Go West initiative began with series of infrastructure development projects including a US\$ 14 billion pipeline that runs 2500 miles from East Turkestan's natural gas resources to Shanghai (Bovingdon 2004). Over the years, these policies turned out to be a failure because the unrest and violence continued. A nationalistic leader like Xi, guided by blood and soil nationalism and desiring to etch his name in history of creating a unified Chinese nation took bolder steps to eliminate any challenge or dissent that could trigger the disintegration of China and the collapse of the CCP. According to Sinologist, China has drafted the wrong ethnic policies. However to Xi, curbing the rising dissent was the fundamental objective, i.e., assertive assimilative policies to de-radicalize the Uyghurs seemed a rational approach. Early writings of Xi unfold concerns about the management of ethnic policy necessitating the survival of the party and China (Xi 2001). The CCP carried out several investigations to understand the collapse of the Soviet Union(SU) and also published a documentary, Silent Contest, a propaganda movie produced by the Department of the People's Liberation Army (PLA) National Defense University in 2013 (Jingjing 2013). The SU disintegration turned out to be an etched memory in the mind of Xi that reinforced his belief in dealing with unrest attempts with urgency. During the Guangdong Province tour in 2012, in a closed-door conversation with his officials, Xi asked—"Why did the Soviet Union disintegrate? Why did the Soviet Communist Party collapse...?". He urged the CCP members to reflect and be cautious of the downfall. He emphasized that the Soviet army didn't stand up for its nation and defend against Western intrusion (Wong 2020). Economic development alone cannot result in the loss of territorial authority. It is because, although having flourished economically under the Union of Soviet Socialist Republics (USSR), the Baltic states continued to pursue their secessionist goals (Shtromas 1986). Similarly, in the 2000s in East Turkestan, the Chinese government adopted

infrastructural development projects, and investments increased; however, mounting tensions in the region were unabated.

Xi firmly noted the crisis of ideology in the SU, which is why he initiated a crackdown right after taking the highest position in China. Given the failure to solve the rising dissent and violent acts in Xinjiang, it is too naïve to think that the policies won't change. China watchers over the years have argued that the CCP has survived its disintegration because of adaptability (Shambaugh 2008). Thus, to eradicate the dissenting problem and stabilize its peripheral areas, Xi chose to compromise on ethnic diversity. It is because continued violence could result in dangerous implications for the whole of China. Unless severe measures are adopted, social stability will be at stake, including the unity of different ethnic groups and the damage to developmental phenomena (Ramzy and Buckley 2019). The Soviet structure of ethnic autonomy is considered the most significant weakness replicated by China. Xi aims to replace it by depoliticizing, i.e., by taking away territorial autonomy, no-state-supported education and cultural maintenance. Because autonomy promotes territorial consciousness, a similar argument asserted by Chinese expert Ma Rong (Ma 2010). Xi has fully fledged and redesigned Rong Ma's analysis by departing from the moderately assimilative ethnic policy. The change, like ethnic policy, has already limited the actual interpretation of autonomy.

Furthermore, soon after presiding over his office, Xi, on September 7, 2013, unveiled his capitalist project, the Belt and Road Initiative (BRI), during an address at the Nazarbayev University, Astana, Kazakhstan. It's an ambitious infrastructural project aiming to connect three continents, Asia, Europe and Africa, through land and sea routes—it forms six corridors to foster a surge in economic activities and development (Jiao and Yunbi 2013). East Turkestan is facing the brunt of being converted to an ideal society, pushing for the systematic destruction of the Uyghurs. In 2013 National Development and Reform Commission's (NDRC) BRI blueprint explicitly stated that China should—

“...make good use of Xinjiang’s geographic advantages and its role as a window of westward opening-up to deepen communication and cooperation with Central, South and West Asian countries, make it a key transportation, trade, logistics, culture, science and education centre, and a core area on the Silk Road Economic Belt.”²

² “Vision and Actions on Jointly Building Silk Road Economic Belt and 21st-Century Maritime Silk Road,” Issued by the National Development and Reform Commission, Ministry of Foreign Affairs and Ministry of Commerce of the People’s Republic of China, with State Council Authorization. 2015.
<http://2017.beltandroadforum.org/english/n100/2017/0410/c22-45.html>

The geopolitical location of East Turkestan is one of the primary foundations of the BRI. In ancient times it was an economic hub that passed through the Silk Road, which started from the Gansu corridor and split into three main routes—The Northern, Central and Southern regions of East Turkestan. Modern China has seen remarkable economic development since the 1990s rendering it the centre of the manufacturing system. BRI is the dream project that would provide evolvement to continue its progress without obstacles. And East Turkestan not only shares a critical location, a bridge connecting different continents but also fulfils China's energy demands. East Turkestan is China's natural resource energy base rich in minerals, oil, natural gas, and coal, accounting for more than 20% of energy reserves, including 24 oil fields found in the Tarim, Junggar and Turpan Hami basins.³ Relatedly the BRI is connected to the vision of Two Centennials which is the deadline to accomplish two interwoven elements, the idea of the China Dream (*Zhongguo meng*) and the BRI. The BRI guides Xi's Thought on Socialism with Chinese Characteristics for a new era introduced in the Chinese constitution in 2017. The China Dream is Xi's ideological expression of the Chinese party-state's continuing economic and political development. Domestically it construes establishing a fair, corruption-free, orderly, and prosperous Chinese society, while globally, it hints at the ongoing desire for China to reach excellent power status. In several of his speeches, Xi defines the China Dream as indicative of integrating China's rejuvenation. For example, 'rejuvenation' is based on Xi's symbolic speech in 2012 at the 'Road to Rejuvenation Exhibition' at National Museum. He was heard stating—

"I firmly believe that the goal of finishing building a moderately prosperous society in all respects can be achieved by 2021 when the CPC celebrates its centenary; the goal of building China into a modern socialist country that is prosperous, strong, democratic, culturally advanced, and harmonious can be achieved by 2049 when the People's Republic of China marks its centenary; and the dream of the great rejuvenation of the Chinese nation will be realized."⁴

The China Dream aims to achieve China's twin goals of becoming a moderately well-off society (*Xiao Kang she hui*) by 2021 (on the 100th anniversary of the CCP) and a

³ Resources and Economy Atlas of Xinjiang Uyghur Autonomous Region, 2012, SinoMaps Press; The Energy Industry in Xinjiang, China: Potential, Problems, and Solutions

<https://www.powermag.com/energy-industry-xinjiang-china-potential-problems-solutions-web/>

⁴ Various speeches cited in Jinping Xi, *The Chinese Dream of the Great Rejuvenation of the Chinese Nation*, compiled by the Party Literature Research Office of the Central Committee of the Communist Party of China, (Beijing: Foreign Languages Press, 2014); Also See, Li, *The Chinese Path*; and Huaguang Huang and Jianzhang Luan *The Roadmap of the 18th CPC National Congress and the Chinese Dream* (Beijing: Foreign Languages Press, 2013).

modern socialist society by 2049 (on the 100 years of the PRC) (Loh 2019). Thus, Xi, through his economic strategy (the BRI), desires to accomplish his idea (the China Dream). Furthermore, because East Turkestan guarantees self-sufficiency to the Chinese economy, this explicitly states why China encompasses not only traditional manoeuvres of repression but also advanced technologies such as Artificial Intelligence (AI), assessing biodata and DNA and connecting it for facial recognition (which will be underscored in the later section) (Wong 2019). Not risking jeopardizing its growth and development is why the Chinese party-state is manifesting deliberate actions in the form of an overt assimilation strategy, including the state becoming a killing machine (Berghe 1990). Since 2010 Kashgar has been serving Special Economic Zone (SEZ). Under the BRI, domestic and foreign financial institutions have been pouring in as tremendous opportunities prevail in infrastructure development to attract more companies. At the third central symposium on work on East Turkestan held in 2020, Xi emphasized using the location as a core area of the BRI. Similar like-minded views on East Turkestan were shared by Ma Haitao, director of the administrative committee at Kashgar Economic Development Zone (EDZ). He reiterates the connection between the ancient silk road and modern BRI ‘is natural and continuous.’ The numbers also confirm the significance of Kashgar EDZ. According to the 2020 data of the Kashgar comprehensive Bonded Area, trade volume reached 750 million yuan, of which 80 % were exported and 20 % were imported. Registered enterprises in Kashgar number around 85, out of which 15 are in production and 70 are in logistics and foreign trade (Bhaya 2021).

Relatedly, Xi legitimized its authoritarian model by propagating a media cooperation agreement with the BRI states projecting it beneficially. Xi also focused on state-sponsored ideological conformity domestically and abroad. This has helped China create a nexus of like-minded states whose partnership is quite visible in the international institutions, particularly the divided opinions at the UN human rights council on human rights abuse. For example, like-minded states supported China’s counter-terrorism in East Turkestan and resolutions such as “emphasizing territorial sovereignty” and “decreasing state cooperation with civil society”. Those resolutions were backed by China, unveiling the clout it holds that suits its political interests and economic ventures (Rahman and Tan, 2022). Furthering the development model, the UFWD assertively does its work of expanding the normative propaganda and covertly cultivating thought, quashing anti-China activities. Therefore, Xi Jinping has successfully used the war on terrorism rhetoric to suppress domestic dissidents and establish an international alliance to achieve rejuvenation and ensure regime building.

Moreover, under the semblance of China’s economic influence and clout, Muslim

states have also demonstrated goodwill to China. It resembles a kind of mutual beneficial recognition phenomenon. Through investment, China, on the one hand, is fulfilling its capitalist intentions and, on the other hand, mutual non-interference policy in each other's internal affairs. The extent of China's clout in Chinese diplomacy has successfully managed to foster pressure; this extends to signing the extradition treaty and deporting the Uyghurs. Except for Turkey (See Table 1.) China has signed an extradition treaty with the Muslim states. Their reluctance to condemn, register, and acknowledge human rights in East Turkestan is a contrasting behavior to Muslim solidarity and brotherhood claims.

Table 1. Muslim states that have extradition treaties/detained/extradited Uyghurs

States	Extradition Treaty with China	Uyghurs detained/extradited to China
Uzbekistan	Yes	Yes
Kyrgyzstan	Yes	Yes
Kazakhstan	Yes	Yes
Tajikistan	Yes	Yes
Afghanistan	No	Yes
Pakistan	Yes	Yes
Iran	Yes	N/A
UAE	Yes	Yes
Saudi Arabia	No	Yes
Malaysia	No	Yes
Egypt	No	Yes
Qatar	No	Yes
Turkey	Not ratified	Yes

On the one hand, Xi has pushed for homogenization in connection to the change like the ethnic policy. On the other hand, he is using his ideological thoughts to accomplish capitalist goals. The aggressive capitalist agenda has resulted in a pattern of exploiting

humans (Uyghur community) under the label of building a nation. Xi pushes assertive assimilation because the path of capitalism with Chinese characteristics is the central focus. The BRI is bolder Chinese statecraft. By appealing to the preferences of other states and shaping them, it fulfils the bigger plan of shaping transnational politics. Therefore, at no cost, Xi will let go of East Turkestan as it is the primary bid.

4. (1) Onset of Intensified Strike Hard: Change in Ethnic Policy in East Turkestan:

Erkinson (real name changed), an Uyghur doing business in Turkey, managed to escape the strike-hard campaign in East Turkestan, which began in 2014 and describes the 2009 Urumqi riots as the watershed moment.⁵ According to him, “when they were supposed to take a pre-emptive measure, they didn’t do that, and now as a pre-emptive measure, they have attacked an entire community because the Chinese government consider us terrorists.” Another distinguishing fact was that this riot was also a check for the Chinese party-state to see how the international community and other states would react to the violence and the government’s brutal crackdown. The Chinese government was motivated to maintain the harsh crackdown in East Turkestan after receiving enough international attention under the designation of terrorism. Following the riots, the local Uyghur population saw a massive deployment of security personnel, security officials, and party personnel living in East Turkestan (Leibold 2014; Zenz and Leibold 2017). After the post-2009 incident, the local government grew more intolerant of the Uyghurs’ religious practices and customs. Ahmad (real name changed) shared a first-hand account of the change in policy and religious intolerance in the party. He worked closely with the CCP as the county head in Urumqi. Predicting the rigorous crackdown, he decided to leave East Turkestan in 2015 and came to Turkey. Unlike the 1990s, reading Quran and praying Namaz became a big crime in 2010. After 2010, in every *Shequ* (community) *Baoandui* (security team) increased. He was part of the security team checking Uyghur houses to see if they had any books, such as Learn my Namaz and Learn my Deen. “Situation turned ugly when I was ordered to check and control Uyghur religious and cultural practice”, he said. In 2011, he was ordered to keep an eye on Uyghur women wearing hijab and men with a beard and warned them to remove and stop growing them.⁶ While another interviewee Isha (real name changed) from Ghujla city, now living in Turkey for higher studies, personally encountered the policing and checking by the local police. Her experience suggests that the CCP instructed the local East Turkestan government to adopt a zero-sum attitude. She

⁵ Ahmad was interviewed on January 12, 2022 in Istanbul, Turkey.

⁶ Ahmad was interviewed on January 12, 2022 in Istanbul, Turkey.

narrates that in 2013 when she was in Ghulja she was stopped by a police officer on the street. The male police officer asked, “why was she wearing hijab and modest clothes? Don’t you know it is against the law to do this? You have to go to prison”. He yanked her hijab, outraging her modesty and Isha still feels humiliated remembering that incident.⁷

In the East Turkistan, China’s repressive policy intensified under Xi Jinping’s leadership. There is a lack of political pluralism, and adopting the techno-totalitarianism method ratcheted surveillance mechanisms and control over the Uyghurs. Xi’s policy became more repressive, intolerant, and belligerent, including the unrelenting persecution of dissidents and a U-turn from the government’s famous rhetoric of China being a multiethnic society. And East Turkestan has landed into a controversial approach and policy because of Xi’s different manoeuvres. Xi displays a strong man leadership position, and his ideological imperatives influence the Chinese party-state’s response to combat terrorism and the threat perception. Just before the National Security Commission (NSC) introduction, Xi spoke in October 2013 about reform in domestic and diplomatic activities to project a strong man leadership position (Lampton 2015). A month later, the NSC aforesaid during the Third Plenum of the 18th Central Committee that it will build a centralized, authoritative, highly efficient, and integrated national security system (Lampton 2015). The NSC was established in January 2014, and a collection of 11 security areas was identified to form an integrated national security system.⁸ The NSC’s core idea is that challenge should not be tolerated in ruling the Communist party. This reminds a statement by Shen Dingli, a Professor at Fudan University, that ‘President Xi Jinping has framed China’s national security in such a way that political security is at the core of national security, while comprehensive security shall constitute substances (Dingli 2014).

In the Chinese media, the term national security (*guojia anquan*) discusses the national security concept. In 2015, Politburo approved China’s first national security strategy, which has not been released publicly (*Xinhua Net* 2015). And finally, in 2018, Xi’s idea of national security is attuned to Thought Socialism with Chinese characteristics was published in a book (*Xinhua Net* 2018). Between 2014-2016 we often heard from the officials of the Chinese party-state that the Uyghur Muslim population is vulnerable to getting infected with thoughts of extremism. Counterterrorism thus become the Chinese government’s Leviathan to convey the gravity of the Uyghur threat. Since Xi came to

⁷ Isha was interviewed on January 14, 2022 in Istanbul, Turkey.

⁸ The security areas include—political security, homeland security, economic security, military security, cultural security, social security, science and technology security, information security, ecological security, resources security and nuclear security.

power, the National People's Congress (NPC) has passed/amended approximately twenty pieces of security legislation that enhanced power to deal with internal/external challenges (Greitens 2019). His understanding of national security has been rigid, combining the use of hard power. The escalation of the use of force to change the social dynamics of Xinjiang since 2017 is driven not only by domestic factors but also by hypersensitivity to the external factors that risk destabilization of the party.

(2) Tailoring of Laws and Changing the Ground Situation:

Following an inward-looking approach to dealing with domestic issues, the CCP under Xi's leadership rendered several amendments to its Criminal Law (CL) and Criminal Law Procedure (CPL) (Li 2015; Zhou 2018). In 2015, NSL and Counter Terrorism Law was authorized to systematically strike harder against the Uyghurs under the label of threat from separatism and terrorism (Blanchard 2015).⁹ In addition, the local authorities in East Turkestan promulgated tough regional regulations with the ultimate goal of revising religious affairs regulations locally.¹⁰ Experts argue that such strengthened counterterrorism efforts reflecting China's 'war on terror' gave a license to use unprecedented repressive measures employing legal/institutional/political/police/military terms to deal with the threat posed by the Uyghurs in East Turkestan (Li 2015; Zhou 2018).

Several interviewees, Meryem, Rabigul, Medina, and Jevlan, residents of the Southern part of East Turkestan, left for higher studies in Turkey, narrated that they luckily managed to escape the repression of local authorities. They emphasized that China's strike-hard strategy was different for different cities in East Turkestan. The towns bordering Central Asian states such as Hotan, Kashgar, and Aksu, as well as the southern section of East Turkestan, have experienced a more assertive counterterrorism policy, including the detention of Uyghurs. They have lost contact with their families since 2017 because of increased surveillance and police pressure, including police intimidation, to sever all connections with their family members living abroad.¹¹ They affirm that different areas experience varied tactics for striking hard under the guise of religious radicalism. While

⁹ See an unofficial translation of the law at "Counter-Terrorism Law" (New Haven, Conn.: China LawTranslate, December 27, 2015), <https://www.chinalawtranslate.com/en/%e5%8f%8d%e6%81%90%e6%80%96%e4%b8%bb%e4%b9%89%e6%b3%95-%ef%bc%882015%ef%bc%89/>

¹⁰ See an unofficial translation at "Xinjiang Implementing Measures for the P.R.C. CounterTerrorism Law" (New Haven, Conn.: China Law Translate, August 1, 2016, <https://www.chinalawtranslate.com/en/xjcounter-terror/>.

¹¹ Meryem was interviewed on December 4, 2021 and Rabigul was interviewed on December 13, 2021 in Ankara. While Medina was interviewed on December 24, 2021 followed by Jevlan on December 26, 2021 in Istanbul.

other interviewee Mohammad (real name changed), who also came to Turkey for higher studies, clarified the above statement. He testified that because the nature and degree of striking hard by the authorities are relatively less in his native town Turpan compared to other cities, he can still communicate with his family on WeChat and sometimes receive financial help.¹² Thus, Xi has controlled and regulated every act of Uyghurs coercively. In 2016, with the appointment of Chen Quanguo, the former Party Secretary of East Turkestan, all Uyghurs have designated the status of potential enemies. It was his brain and strategy to implement a highly intensified, widespread, systematic attack on an entire Uyghur community (*International Campaign for Tibet* 2018).¹³ He systematically converted the region as a whole similar to the Orwellian surveillance system, which was impossible without the backing of the law and technological support. Experts like Adrian Zenz and Sheena Chestnut Greitens's analysis underscored that Post Chen Quanguo's appointment East Turkestan's domestic security spending increased from 5.45 billion RMB in 2007 to 57.95 billion RMB in 2017 (Zenz 2018; Greitens 2017). Subsequently, security and police recruitment increased dramatically. In 2016-17 the advertisement for police recruitment appeared 12 times. In the following days, the news of Chen Quanguo's attendance at a Central National Security Commission Symposium in Beijing in February 2017 surfaced. The local officials in East Turkestan held security rallies, and the Justice Department ordered the development of a 'concentrated reform through creation. In the immediate month, there was a call for 'Regulations on De-extremification' through transformation individually and in a centralized way. According to Medina, Jevlan, Meryem and Rabigul, their family members have been detained in the concentration camp since 2018. They describe that internment is done to "transform into loyal and obedient Chinese citizens, break our lineage and erode our distinct culture".

Further, another interviewee Anwar (real name changed), a Kazakh-born Uyghur who has relatives living in Ghulja city and Urumqi, testified that his visit in 2015 felt unusual compared to his previous visits. In 2015 he spent most of his days in the Southern part of East Turkestan, where he noticed that the surveillance of Uyghur families had become a part of daily life. "At that time, it felt like a lockdown because there was hardly anybody on the streets in a village in Kashgar", he added. Later he was interrogated by the police and asked a slew of irrelevant questions—"why did you take a picture? Do you want to show China negatively? Is it worthy of taking a picture? Did you see Han humiliating the

¹² Mohammad was interviewed on December 28, 2021 in Istanbul, Turkey.

¹³ Chen Quanguo was well-known for his success in taming unrest in Tibet with a similar kind of hard-hitting strategy, but in Xinjiang, he increased the severity of his draconian crackdown.

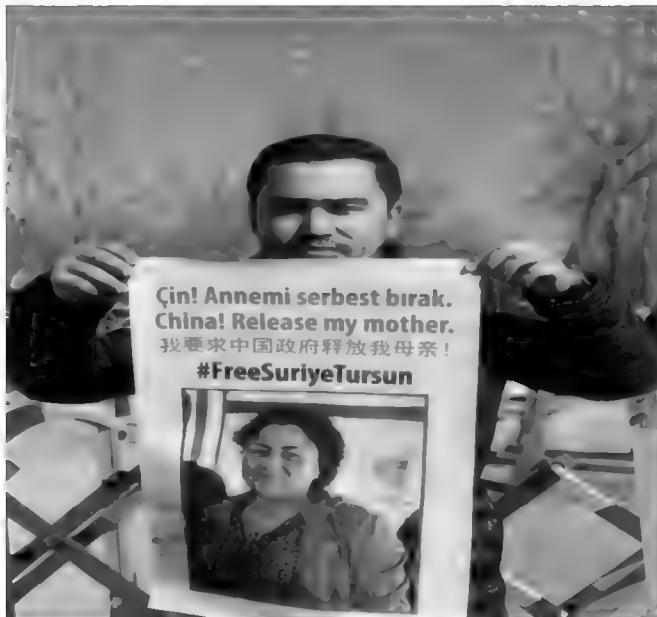
Uyghurs?”. Subsequently, the anti-religious policy was implemented in several southern cities to tighten control. Jevlan (**See figure 1.**), who is from Ghulja city, narrated the ‘Sister Family Project in 2016’ implementation. He provided a detailed account of the policy because his mother, who was taken to the concentration camp, previously worked closely with CCP and was a part of the project to visit several Uyghur homes. At first, an Uyghur official was assigned; later, only Han was recruited to conduct the checking on Uyghur families. They worked as open spies to observe Uyghurs’ daily activities, including their cultural and religious practices. This was one of the methods to intimidate the Uyghurs to change their habits and shun their practices.¹⁴

Similarly, expert Darren Byler, who visited East Turkestan in 2018 in an interview, testified that this Sister Family Project was systematically designed to alter Uyghur practices. For example, the greet in Arabic *Assalam Alaikum*’ or reading Quran and praying Namaz. In addition, daily flag-raising ceremonies were held in the morning and night, and Uyghurs were made to sing together outside the village’s Communist Party office.¹⁵ Thus, as a part of the counterterrorism strategy, a list of behaviors that imply extremism was issued for residents, including downloading/sharing/publishing/ religious content, growing a beard, abruptly quitting smoking or drinking, wearing hijab or modest clothes and keeping Arabic names (Wang 2018).

Picture 1. Jevlan Sirmehmet raised his mother’s picture, demanding her release from the concentration camp.

¹⁴ See note 10

¹⁵ Darren Byler was interviewed on January 7, 2022.



Source: The picture was taken by Sadia Rahman

(3) Xi's Digital Authoritarianism and Employment of Hard Power: Inception of Concentration Camps and Victim Stateless Uyghurs Diaspora in Turkey:

With the intersectionality of technology, cum surveillance crackdown has been more accessible. Chinese theorists from the local Xinjiang Police Academy justified this trait of controlling its people as preventive policing (Wan and Shan 2016). In August 2017, Chen Quanguo, in a speech, gave instructions to the military, police, and soldiers that for unity, we should construct a ‘wall of copper and iron against terrorism’ (*Renmin Wang* 2017). Estimations were that mass detention began close to April 2017, overlapping with the timing of the ‘Xinjiang de-extremification (*qujidianhua*) ordinance’ release. The ordinance’s Directive no.14 sec 3 stipulated that—“de-extensification should happen through education jointly implementing individual and centralized education, legal education, behavioural rectification to strengthen the transformation outcome.” (XUAR Government 2017). De-extremification was also mentioned in a research article published in 2017 by Xinjiang’s Urumqi Party School (XUAR Government 2017). De-extensification categorically emphasizes ‘punishment of criminal offenders and transformation through education and lists three types of education facilities—centralized transformation through education (*jizhong jiaoyu zhuanhua peixun zhongxin*), legal system school (*fazhi xuexiao*)

and rehabilitation correction centers (*kangfu jiaozhi zhongxin*) (Zenz 2018). And to successfully implement as strategized on a broader level in the heavily dominated Uyghur region, sensors did their uprooting profoundly. The Uyghurs' biometric details, such as DNA, iris scans and fingerprints, were collected to track every movement of Uyghurs from visiting markets to public transportation. The collected data are stored on Integrated Joint Operation Platform (IJOP) software, which the local police have access to report suspicious activities and perform prompt investigations when the system alerts a problem (Australian Strategic Policy Institute 2019).

This radical form of surveillance undertaken by the CCP allowed social sorting to commence, as described by Richard Jenkins. Such sorting enables the authorities to identify and classify the Uyghurs practicing their religion (Jenkins 2012). China's giant Huawei has been accused of working for the Chinese government by helping identify Uyghurs through voice or other physical characteristics, labor schedules for prisoners, and tracking shoppers through facial recognition. Relatedly, it's not only the Chinese company but also Western companies that are accused of providing technological support. According to a report titled 'China's Surveillance State: A Global Project' by Valentin Weber and Vasilis Ververis, seven American tech giants contributed to building a Chinese digital surveillance program known as the Golden Shield Project (GSP). The program was launched in 1998 and contributed to the intrusive employment of surveillance technology in East Turkestan and Hong Kong (Weber and Ververis 2021). Technological backing manifested in the immediate arrest of the Uyghurs. And in an interview with BBC, Xu Guixiang, East Turkestan's Propaganda Bureau of the CCP statement affirmed that Uyghurs were arrested for re-education. He said, "We take someone on the verge of committing a crime and turn that person into a law-abiding citizen" (BBC 2019). Relatedly, in a White Paper (WP) entitled 'Employment and Labor Rights in Xinjiang' issued by the State Council in 2020, the CCP claimed that from 2014-2019 vocational training was provided to nearly 1.3 million workers (Xinhua Net 2020). This was the first incident in the CCP that indirectly confirmed the creation of the concentration camp system.

(4) The Camp System:

Although China has used religious extremism as an excuse to strike hard with impunity, targeting Islam, the CCP released WP in 2019 entitled 'Islam is neither an indigenous nor sole belief system of the Uyghurs' claiming religion was something imposed by the Arabs (The State Council Information Office 2019). However, the detaining

of Uyghurs was not only limited to practicing Muslims. There was no particular reason to be arrested or detained. We met families who were not religious people still arrested and later put into the concentration camp. Malike (See Figure 2)¹⁶, a Kazakh-origin Uyghur now living in Turkey, testified that her uncle and aunts were not religious; they were taken to the camp and later imprisoned.

Similarly, Azimet¹⁷ pursued his higher studies in Malaysia in 2007 and then moved to Turkey. He also learnt that his father was taken to a re-education centre on the charges of supporting terrorism. The case of Idris Hasan unfolded that Uyghurs abroad are also not safe. China's strike hard policy has reached beyond its border. His wife, Buzainuer Wubuli (See Figure 3.),¹⁸ lives with their three kids alone in Turkey after her husband travels to Morocco to find better job opportunities. He was arrested in July 2021 at Casablanca airport because China requested an Interpol Notice. He was the subject of an international arrest warrant for a terrorist organization. Idris Hasan is still serving prison in Morocco, whereas China is pressuring Morocco to send him back so that he can be punished for his charges.

Picture 2. Malik's mother is raising the family picture of her detained siblings, demanding their immediate release from the camp.



Source: The picture was taken by Sadia Rahman

¹⁶ Malike was interviewed on January 2, 2022 in Istanbul, Turkey.

¹⁷ Azimet was interviewed on December 24, 2021 in Istanbul, Turkey.

¹⁸ Buzainuer Wubuli was interviewed on December 31, 2021 in Istanbul, Turkey.

Picture 3. Buzainuer Wubuli, wife of Idris Hasan and their three children, protest outside the Morocco Consulate in Istanbul.



Source: The picture was taken by Sadia Rahman

Interview with the concentration camp survivors helped to get first-hand information. The survivors testified that the camp system works in a three-layered way—pre-detention center, re-education center and imprisonment. For example, Erbaqyt Otarbai, a Kazakh-origin Uyghur, spent 98 days in the detention center. From unloading his truck in an ore yard in Urumqi on August 18, 2017, he landed in a police station. Sitting on a tiger chair, the police interrogated him for hours because he was on social media apps like Facebook and WhatsApp and downloaded some Islamic content. Later, “I was taken for a health checkup, gave iris scan, and a policeman took me to a pre-detention center in Tacheng,” he said. Otarbai and eight other detainees were kept in a tiny cell, only allowed to sleep at night on their bunk beds.

With shackles around their legs all the time, they had to run in the cell. He recalls that “our ankles would bleed because of the shackles, and almost every day, we were beaten on our butt.” He was released because of his wife’s pleas to the Kazakhstan officials. From his harrowing experience, it becomes clear that China has a structured blueprint to complete its task of assimilating the Uyghurs.¹⁹ At the same time, a seamless marriage of repressive

¹⁹ Erbaqyt Otarbai, concentration camp survivor was interviewed online January 7, 2022.

policies and assimilation strategies punished Ömir Bekali, also a Kazakh-origin Uyghur. He was detained in a male concentration camp. He describes the days of captivity, incommunicado detention, and indoctrination as awful and torturous. Human rights appear to have no meaning or importance. In 2017, he was scheduled to head a Kazakh delegation to the upcoming International Astana Trade Exposition in East Turkestan. This event cost his life. In March 2017, on a short trip to Turpan, he was arrested from his house. Since then, his journey of unrelenting physical and emotional torment began. In the camp, the police used methods of beating, being exposed to powerful bright light, electrocution with batons, and placing metal hooks on private parts. He was also given third-degree torture by hanging to a ceiling and viciously beaten on his knuckles. The camp was under constant surveillance with CCTV cameras, electrified fences and guards patrolling day and night. Forty detainees, ranging in age from fifteen to eighty, were jammed into a sixteen-square-meter room. They followed an intensive routine of learning Putonghua and Chinese songs to undergo indoctrination, praising the CCP, China's greatness, and Xi. Ömir reminisces “that we sing in the morning till lunch, and after lunch, we again praise the CCP.” The guards reminded the detainees of forty-eight characteristics the Chinese government considers a threat, including growing beards, praying Namaz, and performing religious charity. And Ömir believes that the purpose of suffering and reminders was to ‘make us Han Chinese, adopt their culture, become one and forget our religion and culture.’²⁰ He was also released because of his wife’s constant efforts. She built pressure by writing letters to the UN and the Foreign Ministry of Kazakhstan and giving interviews to Radia Free Asia.

The above two accounts make the impression of physical and mental torture clear. However, the Chinese party-state’s significant assimilative policy through the Putonghua imposition was executed, has been testified by Qelbinur Sidik. She is the only person visiting the camp, but not for re-education. The local government selected her to teach Putonghua (普通話) to the camp detainees. Before joining, she taught Putonghua at Number 24 Primary School in the Saybagh neighbourhood of Urumqi for the past twenty-eight years. From March 1, 2017, she taught in a male camp called Cang Fangguo on the outskirts of Urumqi. Seeing the inhuman conditions and how the detainees were kept struck her that this was some sort of a camp that nobody knew. “My male students were both young and old, had beards, a businessmen, also an intellectual,” she said. She testified that she taught Putonghua systematically divided into three categories: (i) starting from basic to teaching grammatical lessons, (ii) how to construct sentences lesson (iii) teaching

²⁰ Ömir Bekali, concentration camp survivor was interviewed online January 5, 2022.

texts praising the CCP, Xi and the national anthem. After her six months contract (March-September) ended at a male camp, she was forced to teach Putonghua at a female camp. It was a former nursing home in the Tugong district in Urumqi. In a female camp, 90% of the detainees were young girls between the ages of 10-40 with short hair. Most of the girl detainees in the camp were students who went abroad, like Egypt and Iran, to learn Quran and deen. And through deception, they were brought back and arrested at the airport. However, the degree of torture for females was worse. “They don’t look normal; they were sexually tortured, raped and sterilized”.²¹

Thus, the CCP under Xi’s leadership has subjected the Uyghurs to immense pressure to renounce religion, identity, and other characteristics related to Uyghur identity. Part of the assertive assimilation process includes identifying cultural adversaries within China, linking them to a dangerous outside, and fostering threat perception. Unrest or dissent by the Uyghurs was seen as acts of terrorism and was dealt with severity by different security apparatuses, eventually criminalizing several traits of the Uyghur identity. The 2009 violence aftermath was that the threat perception and label of terrorists was expediently used, fostering the development of structures to crack down harder. The arbitrary incomunicado detention of millions of Uyghurs and other Muslim minorities through digital authoritarianism and hard power is discursively used to eliminate the differences Uyghurs maintained over the years to create a common identity.

5. Conclusion: Who Should be Blamed, Xi or the CCP?

The fanatical approach espoused by Xi Jinping for national sovereignty and the introduction of aggressive policies by the CCP are desperate attempts to eradicate the ethnic diversity embraces by Uyghur. The repressive policies target Uyghur’s culture, religion, and language, risking their complete elimination and depriving the younger generation of knowing about their cultural practices. A leader should not be solely blamed for strategizing and implementing such an arduous task. Unlike the traditional Communist system, the CCP has followed a distinctive route. Several China experts have asserted that the significant strength of the CCP is its flexibility to adapt to changing situations (Nathan 2003). Reflecting on the 100 years of the CCP, it has faced numerous challenges, raising eyebrows that the party might collapse now. Defying the odds, the CCP has survived and ditched disintegration like the SU. And contemporarily, China’s position differs in the international community, and the CCP’s contribution is immense and indisputable. The party structure is

²¹ Selbinur Sidik concentration camp survivor was interviewed online on January 11, 2022.

such that it is determined to control the state and society, which it has been doing since 1949. By consolidating power, it is the party that is the driving force of China. It elevates itself above the state, and the training is given to drive the revival of one-party rule. The party has strived to carve a trajectory that suits its (national) interest and has a history of eliminating roadblocks during different periods. Thus, drafting and implementing brutal policies in East Turkestan is just one part of the enhanced control it seeks to have over society; Xi Jinping, the product of the party, has used it as an impetus.

The less discussed aspect of the CCP's institutions and functioning is the party school system, particularly the influence of the Central Party School (CPS) (*Zhongyang dang xiao*) in Beijing, which plays a more significant role in career training and indoctrination for party cadres. The main agenda of the CCP has been to strengthen and foster its rule, which has been done through the party system. The cadres are the backbone because they are trained to maintain authority and nationwide control (Shambaugh 2008). The CCP does not stand for wrongdoing because the party school system guides to adhere to party directives. The party's beliefs permeate the cadres and leaders, whose reflections can be observed when Xi delivered a speech to young cadres last year, emphasizing the school should be upfront in producing loyal candidates for the party's cause (CCTV 2021). The CPS is the primary training center focusing on political and ideological indoctrination, including teaching courses on how to behave in front of the media, and trains for policy framing--domestic and foreign, then various strategies are to be implemented into the official set-up. Thus, the party's orthodoxy is still the essential ingredient that the school system focuses on and imparts (Chen and Fang 2011).

Before becoming the President of China, Xi proved his political loyalty, which is why he was selected as the President of CCP in 2007 (Wen 2022). Themes of the CPS, including the rule of law, religious tolerance, and civil society, are discussed following Chinese characteristics. Because the party is here to stay, which can be gauged from Xi's July 1, 2021, Party Centenary speech, where he clearly articulated that 'China's rise is inevitable. The expected outcome of the one party-state in its thirst to expand control and evade collapse is that it makes decisions suiting its survival, automatically disregarding the Chinese people/society. The influence of party training on Chinese officials is such that stability of the party and China are core interests. In such case any Sinicization and adhering to the CCP's ideology should be foundation of Chinese nation building. This can be reflected from a recent interview of China's ambassador to France, Lu Shaye, who asserted that the Taiwanese would also face re-education after seizing Taiwan (Everington 2022). Thus, Xi's decisions and policies reflect how he wants the Chinese people to be and

what China should be. As his overall authoritarian governance and curbing of dissent and unrest activities in East Turkestan unfold, the party's hold appears to be stronger despite facing internal challenges.

Although under Xi's leadership, repressive ethnic policies are implemented, the party and its monopoly of power should be held responsible, which always targets to rule out any vulnerabilities. Because the ruling mechanism of the party has always been repression and propaganda. The Chinese people are kept in their grip either by fooling China's rise and opportunities or by the threat to sovereignty, and the Uyghurs were also roped in. Unlike a democratic political system where a leader and politicians are answerable to the citizens, it is more about political career experience in China. This underscores the party's legitimacy, which has made the journey from a revolutionary organization to a ruling establishment. Irrespective of who the leader is, because of the training, the policies are designed to epitomize domestic stability (and China's rise); and Xi in East Turkestan exemplifies how to reach the stable cocktail of domestic stability, albeit with CCP characteristics. That is why his increasing belligerence towards East Turkestan is in the party's political expediency.

Chapter Seven

International Sanctions on China's Human Rights Violations in Xinjiang and its Consequences

Chien-yu Shih

1. Introduction

China's Xinjiang re-education camp policy has been met with furious accusations of genocide. Thus, international sanctions have been imposed on various regional Chinese officials. Are sanctions an effective method to incentivize human rights improvements? The paper analyses three definitions of genocide: cultural genocide, the United Nations Convention on the Crime of Genocide (1948), and the Holocaust. It then analyzes their relevance in the current Xinjiang context. As the ultimate aim of the Xinjiang camp is to strengthen the Chinese nation-building process, the paper evaluates China's possible responses to sanctions, scrutinizes gain and loss, and explores what policy adjustments would be made in response to the pressure of international sanctions. The assumption is that the assimilation policy in Xinjiang would probably become more refined due to external pressures. International sanctions are useful as a constant warning to China that there is no way to get away with Xinjiang human right abuse and substantial revisions have to be made.

2. The Origin of Xinjiang's Re-education Camps

Since the establishment of the Xinjiang Uyghur Autonomous Region in the 1950s, the Chinese Communist Party (CCP) has minimally introduced a regional ethnic autonomy policy. Xinjiang authority has always been in the hands of Han cadres, who heavy-handedly and coercively rule over the Turkic Muslim ethnic groups. Beijing intensified the hardline approach in Xinjiang after the Soviet Union's disintegration. Beijing suddenly started worrying that China might face the same fate of disintegration from East Turkestan

irredentists to fight for political independence.¹ Indeed, during the same period, violent armed incidents erupted in Xinjiang with jihadist slogans.

The conflict between the Chinese regime and the Uyghur political dissidents has continued to deteriorate with contrasting claims on who is entitled to the sovereignty and political autonomy and concerning the commitments about religious freedom, as well as the accusation of Islamism after the 9-11 attack in the US. The July 5th ethnic conflict in Urumqi in 2009 was a watershed, and “governance failure” was officially transformed into an “ethnic vendetta.” The local Turkic ethnic groups, especially the demographically most important Uyghur, officially broke ties with the Han immigrants. As a result, the ethnic conflict was brought to the surface at the cost of probably several thousand Han and Uyghur lives in Urumqi.²

The CCP’s strategy for governing Xinjiang has not made any breakthroughs since the 1990s. However, it still hopes to solve all problems through economic development and ethnic policies. No “substantial” change was made in the overall policy direction even after the replacement of Wang Lequan (王樂泉) by Zhang Chunxian (張春賢) as the secretary of the Xinjiang Party Committee. Beijing only increased capital investment in “aiding Xinjiang (援疆), and at the same time made fine-tuning of appeasement in ethnic relations, still assuming that stable development can ultimately solve the dilemmas of Xinjiang governance. Beijing’s huge financial aid to Xinjiang may improve regional industrial and economic development, but it may not benefit the local grass-roots Turkic communities, especially those oasis agricultural cities around the Taklimakan Desert. However, if improving regional ethnic autonomy in Xinjiang may, on the one hand, provide an opportunity for the local Turkic elites to challenge the CCP authority, which is always controlled by the Han cadres, on the other hand, these very policies cause dissatisfaction among the Han migrants who implicitly serve as watchdogs to fortify border defense capacity in the northwest of China.

When Zhang Chunxian was the CCP Secretary of the Xinjiang Uygur Autonomous Region during 2010-16, the crux of social and political control was the policy to ease ethnic tension. At the same time, however, Islamism was expanding globally, and China was no

¹ Uyghur irredentist claim has been predominant among Uyghur community in abroad, especially for Turkey, please see e.g. Yitzhak Shichor, Ethno-Diplomacy: the Uyghur Hitch in Sino-Turkish Relations (Honolulu: East-West Center, 2009)

² Chienyu Shih and Jenkun Fu, “The Urumqi 7-5 Incident and Effectiveness of Governing in Xinjiang 烏魯木齊七五事件與當代中國治理新疆成效分析,” Prospect Quarterly 遠景基金會季刊, Vol.11 No.4 2010 pp.149-190. A more comprehensive discussion on the Urumqi 7-5 incident may refer to the special issue on The Uyghurs in China – Questioning the Past and Understanding the Present, Central Asia Survey, Vol.28 No.4 2009

exception. Since the end of 2011, frequent violent terrorist incidents have taken place in Xinjiang and begun spreading to eastern China. The most famous cases were the 2013 car crash at the Jinshui Bridge in Beijing's Tiananmen Square and the 2014 killing incident at the Kunming Railway Station.³ When Xi Jinping concluded the Central Ethnic Work Conference at the end of 2014, he pointed out that *Arabized Islamism* (阿拉伯化的伊斯蘭教)⁴ was the primary source of threats to the security of northwest China. *Arabized Islamism* does not simply refer to religious beliefs, but more specifically to Chinese Muslims blindly worshipping Arab-style Islamic rituals, including Muslim dress code and mosque architectural styles, and more negatively, to the global impact of militant Islamism has inspired Uyghur political dissidents in Xinjiang. As a result, Beijing began to move towards a total adjustment in the direction of its policies on ethnic and religious governance in the northwest frontier by carrying out the "Sinicization of Islam (伊斯蘭教中國化)." Wang Zhengwei (王正偉), at that time the Chairman of the National Ethnic Affairs Commission and Deputy Minister of the United Front Work Department of the Communist Party of China, was removed in 2016, which is generally regarded as a milestone in the transformation of China's ethnic and religious policy. As for rectifying Xinjiang's governance policy direction, in the same year, Chen Quanguo (陳全國) was appointed as the secretary of the party committee in Xinjiang, and he began to promote re-education camps and other policies of comprehensive forced assimilation.

³ Chienu Shih, "Beijing Car Crash Attack and Islamism in Xinjiang 北京天安門撞車襲擊事件與新疆本土化伊斯蘭主義發展" Taipei Forum (online publication) May 2014 http://140.119.184.164/view_pdf/125.pdf

⁴ There is a group of scholars in China who specialize in the study of communist ideology. They have strongly advocated the consolidation of the CCP's leadership of religion for past decade, and criticized the tolerance of religious freedom after Deng's reform era. They criticized Islamic worshiping in China nowadays as being intervened and influenced by the Arab "external forces" and that Islam must be re-Sinicized. For example, Xi Wuyi, Director of the Center for Science and Atheism Research, Chinese Academy of Social Sciences, and her talk under the title on "It is our historical responsibility to resist the penetration of Sharia law into the legal system of secular countries 抵禦伊斯蘭教法向世俗國家法律體系滲透是我們的歷史責任" at The Fifth Scientific Atheism Forum of the Chinese Academy of Social Sciences June 2018 <https://www.aisixiang.com/data/110386.html>

⁵ Xi Jinping's verbatim summary of the Central Ethnic Work Conference was said to be too controversial, involving a drastic shift in ethnic policy, and was ultimately not published in the CCP's state media. Xi Jinping's views were recited or re-told second-handedly, and turned into different expressions with dissimilar interpretations when CCP cadres and scholars talked on different ethnic policy preferences, e.g. Hao Shiyuan, "Regional Ethnic Autonomy: What did the Central Ethnic Work Conference say? 民族區域自治：中央民族工作會議講了什麼？" Journal of Minzu University of China (Philosophy and Social Sciences Edition) No.5 2015. And Ma Rong, "Keep the banner unchanged, stabilize the position, adjust the thinking, and reform in a pragmatic way Interpretation of the Central Ethnic Work Conference 旗幟不變，穩住陣腳，調整思路，務實改革—對中央民族工作會議的解讀" Qinghai Ethnic Studies Journal, 2015 No.2

3. Allegations of Crimes Against Humanity and Genocide

In 2017, the Xinjiang authority promulgated the “Xinjiang Uyghur Autonomous Region De-radicalization Regulations 新疆維吾爾自治區去極端化條例.” In the name of anti-terrorism and de-radicalization, it established educational transformation or vocational training centres (referred to as "Xinjiang Camps") in various parts of Xinjiang. As a result, mass internment of Uyghurs and other Turkic Muslims started to occur. According to the testimony of political refugees who were later released and fled overseas, vocational training in Xinjiang camps had limited functions other than political education. In addition, the general sanitation environment is poor, and detainees are violently beaten, resulting in torture and death, and the raping of female detainees.⁶ And starting in 2018, Islam clerics and devotees, usually young men, were transferred to higher-security prisons in Xinjiang or mainland China. In addition, most of the “graduated members (結業的學員)” were later asked to “forced labour” under the pretext that they were being helped to find jobs.⁷ Those who returned home and were not assigned to work had mostly restricted their residence and began to self-censor their behaviour, especially their religious beliefs, to avoid being detained again. At its peak, Xinjiang camps detained more than a million people, hollowing out some local communities. To dilute the proportion of the Turkic population in Xinjiang, the Chinese government has provided land, employment and economic subsidies, with a remarkable acceleration in recent years, to attract Han settlers from the eastern provinces to Xinjiang.⁸ According to statistics from researchers, between 2015 and 2018, about 2 million Han immigrants moved to Xinjiang. Han immigrants can receive housing and work expenses subsidies, as each can receive an annual salary of more than 102,500 Chinese yuan (approximately 15,000 USD) and additional monthly expenses.⁹ Since 2014, the Chinese government has promoted intermarriage between Han Chinese and local Uyghurs in Xinjiang. Mixed-race couples can also receive subsidies for housing and

⁶ Interviews with Uyghur and Kazakh refugees in Paris, 12-15 August 2019, and extra information on those missing Uyghur in Xinjiang may refer to Xinjiang Victims Database, <https://shahit.biz/eng/>

⁷ Shöhret Zakir, Xinjiang Uyghur Autonomous Region Party Committee Deputy Secretary and Autonomous Region Chairman by then in 2019 claimed that the trainees in Xinjiang re-education camps have "all graduated", see "Chairman of Xinjiang Uyghur Autonomous Region: All trainees who participated in the "three studies and one trip" education and training have graduated" People's Daily, September 9 2019, <http://politics.people.com.cn/BIG5/n1/2019/1209/c1001-31497107.html>

⁸ E.g. Experience sharing videoclips of newly arrived Han immigrant to Xinjiang, see <https://c.m.163.com/news/v/VVLDUV5N1.html>

⁹ Adrian Zenz, “Sterilizations, IUDs and Mandatory Birth Control: The CCP’s Campaign to Suppress Uyghur Birthrates in Xinjiang,” The Jamestown Foundation, Washington, DC, June 2020. <https://jamestown.org/product/sterilizations-iuds-and-mandatory-birth-control-the-ccps-campaign-to-suppress-uyghur-birthrates-in-xinjiang/>

home appliance renovations when married.¹⁰

In the face of the development of Xinjiang camps, the current overseas allegations generally include torture, rape and sexual violence, religious and cultural destruction, unprovoked detention and disappearance, forced birth control, and forced labour. Taken to the extreme, China has been accused of “genocide” against the Turkic ethnic groups in Xinjiang. Starting in 2019, researchers indeed believed that “genocide” occurred in Xinjiang. However, because of different understandings of the definition of genocide, there has been constant controversy on this point. There are roughly three ways to define genocide, each with its supporters. These three definitions of genocide will be illustrated below.

3.1. Definition One: Permanent Damage to the Culture of a Specific Ethnic Group

The broad assumption and assertion that harming ethnic culture is genocide is the Polish jurist Raphael Lemkin's definition. Lemkin's concept of genocide is a relatively extensive one. To put it simply, genocide may not be completed in a short or a particular period. Still, the ultimate goal is to dismantle the political and social systems of an ethnic group's culture, language, identity or sense of belonging to a particular group, religion, and economy. Let a collective sense of personal safety, freedom, health and dignity in the ethnic community disappear. In other words, no matter whether the means are peaceful or cruel, after a period of time, the eventual goal is to destroy the culture of a particular ethnic group.¹¹

Since 2018, numerous sources have shown that China has been suspected of mass arrests of Uyghur civilians and social elites from all walks of life. The ultimate goal of the Chinese government is to deliberately destroy the dignity, identity, and self-esteem of the local Turkic ethnic group. When killings were not involved, most scholars in 2018 preferred to describe the Xinjiang camps as “cultural genocide” rather than genocide. However, according to the existing international law, cultural genocide does not necessarily violate the law and will not be punished.¹² In addition, there are many flaws in international

¹⁰ Adrian Zenz, “China’s Own Documents Show Potentially Genocidal Sterilization Plans in Xinjiang,” Foreign Policy, 1 July 2020 <https://foreignpolicy.com/2020/07/01/china-documents-uighur-genocidal-sterilization-xinjiang/>

¹¹ Raphael Lemkin, *Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress* (Clark, NJ: The Lawbook Exchange, 2005 reprint [1944]).

¹² Jérémie Gilbert, “Perspectives on Cultural Genocide: From Criminal Law to Cultural Diversity” in Margaret M. deGuzman and Diane Marie Amann ed. *Arcs of Global Justice: Essays in Honour of William A. Schabas* (Oxford: Oxford University Press, 2018) pp.321-340

morality or the legitimacy of governance.

This definition of cultural genocide is unclear and difficult to operate. The medium and long-term population control policies, immigration policies, and cultural policies of many countries can easily be accused of cultural genocide. Most of the time, it is also difficult to judge whether these policies' initiation and implementation are malicious or not. Therefore, sovereign subjects have no consensus on the meaning of cultural genocide and of jointly carrying out legal constraints. The most significant distinction between cultural genocide and genocide is whether mass killings occur or the loss of the ability of a particular ethnic group to reproduce with its consequent disappearance is to be observed. Such a distinction is not difficult to understand.

3.2. Definition of the United Nations Genocide Convention (1948)

The Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the United Nations General Assembly Resolution 260, has a relatively strict legal definition of genocide, which relies on the presence of mass atrocities, massacres, or specific measures to eliminate ethnic populations.

According to the definition in Article 2 of the Convention, acts of genocide include massacres, serious physical or mental harm to members of the ethnic group, deliberate destruction of the original living conditions of the group, permanent destruction of all or part of the original or indigenous cultural elements, forced mass sterilization, forced transfer of young kids growing up in other ethnic community.¹³

Putting it in the context of Xinjiang governance in recent years, we have various testimonies that there have been examples of suspected violations of the Genocide Convention in Xinjiang, such as:

- Deaths of detainees in Xinjiang camps due to beatings or neglect, lack of adequate medical care, malnutrition or suicide
- In the past, there was social turmoil in Yili, Urumqi, and Yache in southern Xinjiang

¹³ Elements of justifying genocide as defined in Article II of the Convention, include:

- Killing members of the group
- Causing serious bodily or mental harm to members of the group
- Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part
- Imposing measures intended to prevent births within the group
- Forcibly transferring children of the group to another group

in 1997, 2009, and 2014 respectively. It is estimated that China has used military and police suppression to massacre hundreds to thousands of people¹⁴

- And in the past five years, in the governance of Xinjiang, large-scale installation of surveillance cameras in all corners of urban and rural areas, as well as comprehensive high-tech monitoring of mobile phones and Internet users, has caused severe physical and mental harm to the local people¹⁵
- Another study showed that between 2015 and 2018, the birth rate in Khotan and Kashgar, two major Uyghur-populated southern Xinjiang regions, dropped significantly. Witnesses at the same re-education camp also later testified that they were drug-injected, forced to place IUDs, and forced to have abortions¹⁶
- Many young Uyghur children are also transferred to orphanages or boarding schools due to a large number of parents detained

However, the international adjudication of genocide needs to meet two essential elements: one requires it to be a “criminal act”, and the other is the “criminal intent.” It is not difficult for China’s various actions in Xinjiang to be identified as “criminal acts” of genocide. However, in the operation of international lawyers, the most challenging part is finding evidence to prove that a specific violent act has genocidal intent, demonstrating the criminal motive and purpose of the perpetrator/decision-maker. For example, in 2019, the independent court in London reviewed Falun Gong believers’ cases from organs forcibly harvested. Although the court can collect and list probably sufficient evidence, it cannot confirm that the Chinese regime directed these crimes to destroy a religious group rather than some corrupt officials or businessmen for financial gain. Therefore, it can only be said that the removal of the organs of Falun Gong adherents constitutes a crime against humanity and torture, but in the end, it is difficult to call it genocide.¹⁷

¹⁴ The Yarkand massacre in 2014 was not widely disclosed by the international media due to lack of information. For limited reports, please refer to, Shohret Hoshur, “At Least 2,000 Uyghurs Killed” in Yarkand Violence: Exile Leader,” Radio Free Asia, 5 August 2014, <https://www.rfa.org/english/news/uyghur/yarkand-08052014150547.html> ; Tohti Arish, “Yarkand Massacre: Another Painful Memory of Uighur People,” 29 July 2019, <https://uhrp.org/news-commentary/yarkand-massacre-another-painful-memory-uighur-people>

¹⁵ Digital surveillance not only targets and harass locals but also travelers, see “Chinese border guards put secret surveillance app on tourists’ phones” the Guardian July 2 2019

<https://www.theguardian.com/world/2019/jul/02/chinese-border-guards-surveillance-app-tourists-phones>

¹⁶ “China cuts Uighur births with IUDs, abortion, sterilization,” June 29 2020 Associate Press <https://apnews.com/article/ap-top-news-international-news-weekend-reads-china-health-269b3de1af34e17c1941a514f78d764c>

¹⁷ Independent Tribunal into Forced Organ Harvesting from Prisoners of Conscience in China, China Tribunal

3.3. The Holocaust and National Construction

The Holocaust is usually defined as the systematic, regime-sponsored mass killing of European Jews by Nazi Germany and its henchmen between 1933 and 1945. At that time, the targets of their massacres were not only Jews but also Gypsies, Slavs, and disabled people. The rationale behind this kind of genocide may not only be racism and eugenics, as in the case of Germany but also ideological, such as anti-communism or hostility to some newly emerging religion. The underlying proposition or assumption of the Holocaust is: based on blood inheritance, races are divided into superior and inferior, human beings are not created equal, and inferior or mixed blood should be removed because they will contaminate the source of the superior race. Nazi Germany regarded Jews as “germs” and believed that communism was a conspiracy they used to occupy the geographical living space of the Aryans.¹⁸

In other words, the Holocaust was an extremely radical means of “nation-building”. Nation construction is a “conscious” effort to build a community. Reflecting on the bloody experience of building a nation-state in the past, the post-World War II world usually emphasizes that the majority ethnic group in a country should use different means for nation-building rather than violence, such as providing common public goods, as well as national education and media propaganda effects.¹⁹ Furthermore, through an interactive process, some elements of strong mainstream culture are systematically produced and incorporated into the cultures of ethnic minorities so that different ethnic minorities are willing to share their identity with the majority. To further explain, the superior national construction certainly is not a process of “assimilation” of minority groups by the regime or by the majority, but a process of mutual integration, the evolution of interethnic relations, co-construction of economy and formation of the nation spontaneously and dynamically.

Many overseas Uyghur nationalist activists believe the CCP’s ethnic policy has failed. After decades of practice in China’s system of regional ethnic autonomy, which assumes that communism would finally cause ethnic extinction or assimilation, such ethnic policies and attempts in Xinjiang were unrealistic and unproductive. The Uyghurs are unhappy because Chinese ethnic policies failed to accommodate their aspirations within the Chinese

Report, 1 March 2020, 154–6,

https://chinatribunal.com/wp-content/uploads/2020/03/ChinaTribunal_JUDGMENT_1stMarch_2020.pdf.

¹⁸ Doris Bergen, *War & Genocide: A Concise History of the Holocaust* 3rd ed. (Lanham, MD: Rowman & Littlefield, 2016) pp.52-56

¹⁹ Andreas Wimmer, “Nation building: Why some countries come together while others fall apart.” *Survival* Vol.60 Issue 4 2018, pp.151-164.

state. Those policies could also not achieve the CCP-stated regional stability and national unity goals. After Xi Jinping came to power, the CCP lost patience and wanted to make a final solution to ethnic divisions in China's frontier areas, where the unity of a coherent Chinese political identity had never been developed. In other words, after trying various relatively peaceful means, the construction of the Chinese nation was ineffective. Some argue that it is very likely for the CCP to buck the trend and head towards a massacre, and now Xinjiang is approaching that moment.²⁰

Some scholars of Xinjiang studies initially believed the Xinjiang camp policy was cultural genocide.²¹ However, as more and more evidence is emerging, some researchers have changed their minds. In particular, international law scholars believe that Xinjiang's current situation is a full-blown genocide.²² They also suggest that governments around the world shall put pressure on Beijing, and the available policy means include:

- Citing the Global Magnitsky Human Rights Accountability Act²³ to impose sanctions on Chinese officials involved in Xinjiang camps
- Investigation and pressure through international organizations (such as the Office of the United Nations High Commissioner for Human Rights),²⁴ media reports and human rights organizations, or independent tribunals, to find out and punish the real decision-makers and perpetrators for running Xinjiang camps
- UN member states refer to the Convention on the Elimination of Racial

²⁰ "I love to read the history of Nazi concentration camps, but now it has become a personal experience——Interview with President of the American Uyghur Association, Ilshat" The Reporter, June 4 2019 <https://www.twreporter.org/a/tiananmen-june-fourth-incident-30-uyghur-ilshat-xinjiang-reeducation-camps>

²¹ E.g. Sean R Roberts, "The biopolitics of China's "war on terror" and the exclusion of the Uyghurs" Critical Asian Studies, Vol.50 Issue 2 2018 pp.232-258, and Joanne Smith Finley, "Securitization, insecurity and conflict in contemporary Xinjiang: has PRC counter-terrorism evolved into state terror?" Central Asian Survey, Vol.38 Issue 1 2019, pp. 1-26

²² Ido Vock, "Philippe Sands on the Uighurs: 'Why does it Matter if We Call it A Genocide?'" New Statesman, July 15 2020,

<https://www.newstatesman.com/world/2020/07/philippe-sands-uighurs-why-does-it-matter-if-we-call-it-genocide>

²³ On July 9 2020, the U.S. Treasury Department announced that it was sanctioning Chinese government officials "for their connection to serious human rights abuse against ethnic minorities in Xinjiang, which reportedly include mass arbitrary detention and severe physical abuse." See "Press Releases: Treasury Sanctions Chinese Entity and Officials Pursuant to Global Magnitsky Human Rights Accountability Act"

<https://home.treasury.gov/news/press-releases/sm1055>

²⁴ The Former U.N. human rights chief Michelle Bachelet's office released a report on Xinjiang human rights concerns on August 31 2022, which found that possible "crimes against humanity" had occurred. "OHCHR Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People's Republic of China," <https://www.ohchr.org/sites/default/files/documents/countries/2022-08-31/22-08-31-final-assessment.pdf>. But the United Nation Human Rights Council on October 6 2022 voted down a proposal from Britain, Turkey, the United States, and other mostly Western countries to hold a debate on alleged rights abuses against Muslim Uyghurs and other ethnic minorities in Xinjiang China.

Discrimination (CERD) to exert collective pressure on China

- To impose economic sanctions against China, individual governments may pass the law and require their companies to withdraw or not purchase products from the supply chain in connection with Xinjiang

In July 2020, Rodney Dixon QC led a group of international barristers to the International Criminal Court (ICC) representing two Uyghur groups: the East Turkistan Government in Exile (ETIG) and the East Turkistan National Awakening Movement (ETAM). They call for an investigation into genocide and crimes against humanity by senior Chinese officials, including Xi Jinping. Since China is not a member of the ICC, the barrister adopted an indirect strategy, arguing that Uyghurs have been illegally deported from ICC member states: Tajikistan and Cambodia to China to claim jurisdiction over the case. Although the first trial was dismissed, they submitted new evidence for a new round of investigation in 2021.²⁵

The London Uyghur Tribunal²⁶ collected testimony from victims and bystanders of the Xinjiang camps. Coupled with the 2019 New York Times partial disclosure of Xinjiang Papers and China Cables provided by the International Consortium of Investigative Journalists (ICIJ),²⁷ this evidence has no way of explaining the Chinese government's purpose or criminal intent in setting up Xinjiang camps, but crimes or acts against humanity in the governance of Xinjiang have been neatly confirmed. In particular, the Tribunal in London obtained the complete Xinjiang document from an anonymous channel in September 2021 and believed that the "CCP Central Office Circular (中辦通報)"²⁸ was sufficient to prove that Xi Jinping and the Central Committee of the CCP "intended" to destroy the Turkic community in Xinjiang deliberately. That is to say, the governance of Xinjiang not only shows "factual behaviour" that constitutes a crime against humanity but also can prove that the genocide in Xinjiang was "deliberately promoted" by the CCP regime, and the legal elements to prove the criminal act and criminal intent of genocide are

²⁵ Lily Kuo, "Exiled Uighurs Call on ICC to Investigate Chinese 'Genocide' in Xinjiang," The Guardian, July 2020

<https://www.theguardian.com/world/2020/jul/07/exiled-uighurs-call-on-icc-to-investigate-chinese-genocide-in-xinjiang>, and also "Lawyers call on intl court to investigate Uyghur treatment" June 20, 2022 Associate Press <https://apnews.com/article/international-criminal-court-beijing-china-crime-government-and-politics-a886feb9e7860560aaaf8db06588bc45b>

²⁶ Testimony and materials from the London Uyghur Tribunal in 2021, see <https://uyghurtribunal.com/>

²⁷ China Cables can be retrieved from <https://www.icij.org/investigations/china-cables/>; and Xinjiang Papers <https://uyghurtribunal.com/wp-content/uploads/2021/11/The-Xinjiang-Papers-An-Introduction-1.pdf>

²⁸ Although the authenticity of this "CCP Central Office Circular" has been endorsed by scholars with specialism in Xinjiang studies, the authenticity still needs to be further verified, and it seems that the UN High Commissioner for Human Rights does not endorse it as solid evidence in their Xinjiang report.

complete. However, the Uyghur Tribunal is just a civil action composed of legal professionals, not an institution under the formal international legal system, and thus can serve a professional legal opinion.

4. Assess the Method, Purpose and Effectiveness of International Sanctions

International economic sanctions against Iran and North Korea can be said to be a model, and they have also caused great harm to the economic development of these two countries. But there should be no way for the same approach to be duplicated in China's alleged genocide cases. However, from the process of international sanctions on Xinjiang, it can be seen that Beijing is very concerned. Therefore, in the face of overseas and international pressure, the CCP has continuously revised its Xinjiang camp policy.

International sanctions against human rights violations in Xinjiang can be understood at two levels: "sanction methods" and "sanction purpose and utility logic" that go beyond the sanction methods. Only by understanding these two levels can we assess the substantial effect of sanctions and the future of the Xinjiang camp policy.

4.1 Primitive Level: Method and Content of International Sanctions, which can be roughly divided into two phases according to the time sequence:

- "Phase of Verbal Warning and Pressure": Since early 2018, the UN Human Rights Council, the US and various European government officials have been concerned about the development of Xinjiang's re-education camps and expressed deep concerns. There were also constant warnings of varying degrees; including
 - i. Considering sanctions by using the Global Magnitsky Human Rights Accountability Act on Xinjiang CCP Secretary Chen Quanguo.
 - ii. Notice of financial sanctions, which might include freezing U.S. assets and bank accounts of Chinese officials who persecute and violate religious freedom in Xinjiang and deny their applications for U.S. entry visas.
 - iii. 22 countries joined together to condemn China's human rights abuse in Xinjiang in a formal statement sent to the United Nations High Commission for Human Rights and demanded that China close the Xinjiang re-education camps, release the detainees, and invite the UN High Commissioner for Human Rights to

investigate the Xinjiang camps.²⁹

- iv. The U.S. Congress introduced the Uyghur Human Rights Policy Act, requiring the executive branch to impose sanctions on China, and members of Congress and also Defense Department officials used the term “concentration camps” to refer to Xinjiang re-education camps.³⁰
- v. 15 ambassadors to China jointly sent a letter to Chen Quanguo, Xinjiang CCP Secretary, hoping to meet him and request to visit Xinjiang.³¹
- vi. The U.S. State Department and the Ambassador to the United Nations have publicly commented that terrorism should not be confused with ethnoreligious identity and used to suppress Xinjiang indigenous people.³²

“Phase of Introducing Sanctions”: the US administration, at the end of 2019, began to impose sanctions on China, and some European countries also followed up. The progress of the sanctions announcement is as follows:

- i. On October 7, 2019, the U.S. Department of Commerce announced that 28 Chinese security-related institutions and companies were placed on the Entity Sanctions List, prohibiting business transactions with U.S. companies.³³
- ii. On July 9, 2020, the U.S. Treasury Department sanctioned four Xinjiang political and legal officials and the Xinjiang Public Security Bureau following the Global Magnitsky Human Rights Accountability Act, freezing their assets and preventing their relatives from entering the United States. Those sanctioned include Chen Quanguo, Zhu Hailun, Wang Mingshan and Huo Liujun.³⁴

²⁹ “China Rebuked by 22 Nations Over Xinjiang Repression” July 10 2019 New York Times, <https://www.nytimes.com/2019/07/10/world/asia/china-xinjiang-rights.html>

³⁰ Phil Stewart, “China putting minority Muslims in ‘concentration camps,’ U.S. says” May 4 2019 Reuters <https://www.reuters.com/article/us-usa-china-concentrationcamps/china-putting-minority-muslims-in-concentrationcamps-us-says-idUSKCN1S925K>

³¹ Philip Wen, Michael Martina, Ben Blanchard, “Exclusive: In rare coordinated move, Western envoys seek meeting on Xinjiang concerns” Reuters November 15 2018 <https://www.reuters.com/article/us-china-xinjiang-exclusive-idUSKCN1NK0H0>

³² “2018 Report on International Religious Freedom: China: Xinjiang” Office of International Religious Freedom, US Department of State, <https://www.state.gov/reports/2018-report-on-international-religious-freedom/china-includes-tibet-xinjiang-hong-kong-and-macau/xinjiang/>

³³ “Press Releases: U.S. Department of Commerce Adds 28 Chinese Organizations to its Entity List” October 7 2019 US Department of Commerce.

<https://2017-2021.commerce.gov/news/press-releases/2019/10/us-department-commerce-adds-28-chinese-organizations-its-entity-list.html>

³⁴ “U.S. Imposes Sanctions on Chinese Officials Over Mass Detention of Muslims” New York Times. July 9 2020.

- iii. On July 20, 2020, the U.S. Department of Commerce sanctioned 11 more companies; 9 were accused of being involved in forced labour of ethnic minorities in Xinjiang, and the other two medical companies were involved in assisting in the collection and analysis of the DNA of Uyghur and other Turkic ethnic minorities.³⁵
- iv. On July 31, 2020, the U.S. Treasury Department announced sanctions on the CCP Secretary of the Xinjiang Production and Construction Corps, freezing assets in the United States and restricting entry.³⁶
- v. The U.S. Department of Homeland Security announced on December 2, 2020, that Customs and Border Protection personnel would detain cotton and cotton products produced by the Xinjiang Production and Construction Corps at all ports of entry. On January 13, 2021, it further announced a ban on the import of cotton and tomato products from Xinjiang, followed by the United Kingdom and Canada.³⁷
- vi. US State Secretary Mike Pompeo stated before leaving office on January 19, 2021, arguing that the Chinese government has committed crimes against humanity in Xinjiang, including “arbitrary arrests, forced sterilization, torture, forced labour, and coercive restrictions on religious belief, expression, and freedom of movement,” while also committing genocide in an attempt to eradicate the Uyghur nation.³⁸ This is the first time the U.S. government has formally accused China of genocide in Xinjiang. Subsequently, the Democratic Party of the United States, President Biden also believed that China committed genocide.³⁹

<https://www.nytimes.com/2020/07/09/world/asia/trump-china-sanctions-uighurs.html>

³⁵ Jeanne Whalen, “U.S. sanctions additional Chinese companies, alleging human rights violations in Xinjiang region” Washington Post July 20 2020

<https://www.washingtonpost.com/business/2020/07/20/china-sanctions-uighurs-xinjiang/>

³⁶ “Press Releases: Treasury Sanctions Chinese Entity and Officials Pursuant to Global Magnitsky Human Rights Executive Order” US Department of the Treasury July 21 2020.

<https://home.treasury.gov/news/press-releases/sm1073>

³⁷ “DHS Issues Detention Order on Cotton Products Made by Xinjiang Production and Construction Corps Using Prison Labor” Homeland Security December 2 2020.

<https://www.dhs.gov/news/2020/12/02/dhs-issues-detention-order-cotton-products-made-xinjiang-production-and-construction>

³⁸ Julian Borger, “Mike Pompeo declares China’s treatment of Uighurs ‘genocide’” the Guardian January 19 2021. <https://www.theguardian.com/world/2021/jan/19/mike-pompeo-china-uighur-genocide-sanctions-xinjiang>

³⁹ Edward Wong and Chris Buckley, “U.S. Says China’s Repression of Uighurs Is ‘Genocide’” New York Times Juanary 19 2021 <https://www.nytimes.com/2021/01/19/us/politics/trump-china-xinjiang.html>

- vii. The U.S. Congress has successively passed the Uyghur Human Rights Policy Act⁴⁰ and the Forced Uyghur Labor Prevention Act.⁴¹
- viii. In 2020, the EU was still calling for the UN to organize an independent investigation mission to the Xinjiang region to review whether there have been human rights violations. As a result, it was not until March 22, 2021, that the EU launched the Global Magnitsky Human Rights Accountability Act, sanctioning four local officials in Xinjiang and the Xinjiang Production and Construction Corps, travel bans, and asset freezes.⁴²

4.2 Secondary Level: The Logic/Purpose of Sanctions and the Interests Involved

During the Trump presidency, especially the first two years of his term, the United States cared about the China-US trade negotiations. However, according to my observations of human rights groups, congressional hearings, and the Second Ministerial Conference on Promoting Religious Freedom in the Washington field in the summer of 2019, human rights activists have made direct criticisms on multiple occasions, even directly accusing State Department officials and the White House. Still, the U.S. executive branch did not respond positively.

President Trump also flashed a stunning look at Jewher Ilham in front of TV cameras when he received delegates from the Conference on Religious Freedom in the Oval Office of the White House.⁴³ In addition, the US Department of Commerce stated publicly that it did not want the Xinjiang issue to affect the progress of trade negotiations. What's more, the memoirs of former White House National Security Adviser Bolton revealed that in the summer of 2019, when President Trump and Xi Jinping held talks at the G20 in Japan, he asked Xi to increase China's purchases of American agricultural products, to help consolidate the votes from the agricultural districts in the United States, and would then help to improve Trump's chances of winning the re-election campaign. When Xi Jinping

⁴⁰ Zengerle, Patricia, "Trump signs bill pressuring China over Uighur Muslim crackdown" Reuters June 18, 2020. <https://www.reuters.com/article/us-usa-china-xinjiang-idUSKBN23O3EW>

⁴¹ David Brunnstrom, "U.S. lawmakers seek to tighten ban on forced-labor goods from China's Xinjiang". Reuters March 11 2020. <https://www.reuters.com/article/us-usa-china-xinjiang-labor/u-s-lawmakers-seek-to-tighten-ban-on-forced-labor-goods-from-chinas-xinjiang-idUSKBN20Y2DQ>

⁴² The EU has actually imposed the first sanctions against China in more than 30 years at four Chinese officials and one entity believed to be involved in the alleged human rights violations in Xinjiang, and China then introduced counter sanctions. The consequence is that the EU freezes the EU-China Comprehensive Agreement

⁴³ Jewher Ilham's father was the famous Uyghur economist Ilham Tohti. Ilham has been serving a life sentence in Xinjiang since 2014 on charges of secession. He should still be serving his sentence in a prison in Xinjiang.

explained to Trump why he wanted to introduce “re-education camps” in Xinjiang, Trump responded to Xi that “the camp should continue to be built” and that this policy was the right thing to do.⁴⁴

It can be seen that from 2018 to the end of 2019, the United States, under Trump, took the issue of Xinjiang re-education camps as a bargaining chip in Sino-US trade relations. However, due to the unsmooth and delayed negotiations, the U.S. government began to use other means to pressure China. The Xinjiang camp issue has thus become one means to exert pressure on China.

The Uyghur Forced Labor Prevention Act does not impose economic and trade sanctions on China.

A few days before the Trump administration stepped down, Secretary of State Pompeo suddenly accused China of genocide in its governance of Xinjiang. The Biden Democratic administration of the United States followed the accusations of the previous Republican administration, and Secretary of State Blinken also made a similar announcement. Despite high-profile criticism of the human rights situation in Xinjiang, the Democratic Party government called for a “diplomatic boycott” rather than a “full boycott” of the 2022 Beijing Winter Olympics. The Democratic government passed and signed the Uyghur Forced Labor Prevention Act by the end of 2021, but the contentious point of this bill lies in its impact on specific American business sectors.⁴⁵

During the 2020 U.S. presidential election, many companies and chambers of commerce, involving industries including textiles, food processing, retail, electronics and solar energy, lobbied the U.S. Congress and the executive branch not to pass the Uyghur Forced Labor Prevent Act. The main reason for the opposition is not in favour of genocide and against the defence of universal values but because the bill’s “rebuttable presumption” is too harsh. The bill assumes that all goods produced in Xinjiang involve forced labour. When U.S. companies import Chinese goods, they must certify to U.S. Customs and Border Protection that those goods do not involve forced labour. In other words, U.S. companies need to spend a lot of money to make commodity resumes, and resumes may also be faked.

⁴⁴ Aaron Blake, “Bolton says Trump didn’t just ignore human rights but encouraged China’s concentration camps” Washington Post June 17 2020.

<https://www.washingtonpost.com/politics/2020/06/17/bolton-says-trump-didnt-just-ignore-human-rights-encouraged-chinas-concentration-camps/>

⁴⁵ Marti Flacks, “The Uyghur Forced Labor Prevention Act Goes into Effect,” CSIS June 27 2022.

<https://www.csis.org/analysis/uyghur-forced-labor-prevention-act-goes-effect>

The actual effect of this bill is to embargo all prohibited commodities produced in Xinjiang.

The last version of the bill could be a compromise between the U.S. government and businesses. The requirements and penalties for businesses in the bill draft have been reduced. For example, the bill does not require companies to declare the list and content of Chinese manufacturers they have dealt with. In addition, the many US and Chinese manufacturers have realized the effect of the sanctions brought by the bill during the legislative process, so they have established many “transit manufacturers” in different Asian countries. For example, Xinjiang cotton semi-finished products are now exported to transit manufacturers, processed into finished products, and sold to the United States. Transit manufacturers act as a grey area in the supply chain, bypassing legal restrictions, reducing the chances of product traceability and accountability, and minimizing losses to American companies. Initially, there was an Uyghur Forced Labor Disclosure Act that required American companies to disclose their activities related to Xinjiang, especially stated that the company must “disclose the importation of manufactured goods and materials that originated [from Xinjiang]... as well as details about the commercial activity, gross revenue and net profits, and future import plans regarding these goods and materials.”⁴⁶ But it remained unfulfilled if it failed to implement or pass the legislation. Xinjiang human rights issue as a means or a *quid pro quo* for the United States to contain China?

The Biden administration intends to “selectively decouple” the supply chains of certain industries from China.⁴⁷ The ultimate goal of restructuring the global supply chain is to decouple the high-tech industries in which the United States has an advantage over China. In addition, other industries that are not directly involved in the competition between the United States and China, but have long been dependent on each other, will be re-coupled again. Such decoupling and re-coupling are designated to protect the U.S. economy while reducing Beijing's potential use of certain industrial sectors and products to coerce the Muslim population in Xinjiang.

At the 2021 Democracy Summit, President Biden announced the “Democracy Revival Presidential Initiative” launch, advocating the defence of global democracy and human rights, and investing more than \$400 million in five major areas.⁴⁸ It is worth noting that

⁴⁶ “Uyghur Forced Labor Disclosure Act of 2020” <https://www.congress.gov/bill/116th-congress/house-bill/6270>

⁴⁷ There are many long discussions of this kind, such as Zack Cooper, “The Case for Strategic Recoupling,” AEI November 12 2021. <https://www.aei.org/op-eds/how-to-tame-china/>

⁴⁸ “Fact Sheet: Export Controls and Human Rights Initiative Launched at the Summit for Democracy” The White House December 10 2021.

one of these areas is “promoting technology that promotes democracy.” In early 2021, President Biden signed the “U.S. Supply Chain Executive Order” to investigate the supply chain of four categories of products, including semiconductors, electric vehicle batteries, pharmaceuticals, and rare earth. The ultimate goal of the United States should be to cut off the CCP regime’s acquisition and abuse of high technology to carry out various human rights-violating governance tactics. In addition, the United States accelerates the combination of industrial policy and the values of freedom and democracy, reorganizes the industrial chain of the supply and demand structure of the international market, and unites to create a “techno-democracies” alliance to prevent China from participating in the formulation of technical standards.

In other words, sanctions on Xinjiang will only be part of the US-China confrontation. The real object of the sanctions is whether the company is involved in a core industry defined by the United States. Moreover, the sanctions targets will not be limited to local companies in Xinjiang. For example, it is said that more than 200 technology companies related to electronic surveillance in China have been targeted by the United States. Suppose the United States increases sanctions on these companies. In that case, it is very likely first to embargo Chinese companies that focus on the domestic market, and further may join forces with other U.S. allies to block the overseas markets of these information technology companies, especially to contain the expansion of Chinese technology companies along those states being planned by the Belt and Road Initiative.

5. Concluding Remarks

The persecution wrought by the Xinjiang camps likely fits, albeit in controversial ways, the definition of genocide under the UN 1948 Convention. The Xinjiang camp policy is a highly coercive assimilation policy, which has become so severe that the international community cannot bear it. At present, the international legal community is inferring and searching for evidence that the Xinjiang re-education camps are a form of genocide. The London Uyghur Tribunal believes that there is sufficient evidence to prove that the Chinese government committed genocide against the Turkic minority in Xinjiang with regard to what the CCP has done, i.e. criminal acts, and who instructs what needs to be done, i.e. criminal intent. But whether other international human rights and international law bodies share the same opinion is not entirely sure. In addition, the International Criminal Court and

the United Nations International Court of Justice have no absolute jurisdiction over China. At present, it can only be said that the international community perceives the Xinjiang re-education camps in the direction of genocide.

The current sanctions on Xinjiang have changed from “verbal warnings” to “economic and trade sanctions”. Whether the existing sanctions can have a real and substantial punitive effect on China and force China to solve the human rights dilemma in Xinjiang is unclear, but one cannot be too optimistic. Sanctions imposed by the United States, EU and other Western allies may have space to escalate in the future. Unless China can immediately improve its Xinjiang policy, the level of sanctioned Chinese officials is very likely to rise again. Currently, the US and the EU only impose sanctions on provincial-level officials and cadres in Xinjiang. Still, in the future it may also be elevated to some members of the Central Coordinating Group for Xinjiang Affairs. The latter are involved in decision-making at the highest level of the CCP.

In the past four years, especially in the early days of President Trump's presidency, the human rights issue in Xinjiang has only been reduced to a bargaining chip in the US-China trade war. The Republican administration had no intention of imposing substantive sanctions until the end of 2019 after the U.S.-China trade talks hit the rocks. President Biden's Democratic administration should have comprehensively understood the issue of Xinjiang's re-education camps. However, from the “diplomatic boycott” of the Beijing Winter Olympics in 2021 and the handling of “the Uyghur Forced Labor Prevention Act,” it can be seen that the United States still only formally continues to accuse China of genocide in Xinjiang to certain extent, and strongly condemns it morally. But in essence, full sanctions have not yet been introduced and imposed.

The Biden administration's selective containment strategy against China is evident, especially in preventing the theft of intellectual property rights and restructuring the supply chain of high-tech industries. In the future, the United States should consider the human rights issue in Xinjiang under this competitive framework. Of course, the target of sanctions against Xinjiang will also be closely related to the future changes in the relationship between the United States and China. If China continues to collide and compete for the advantages of the United States and its allies in certain areas while simultaneously violating human rights in Xinjiang, the level of sanctions may rise. That moment might symbolize a total rupture between the United States and China.

Chapter Eight

The “One Country, Two Systems” Experiments: Comparing 1959 Tibet to 2019 Hong Kong

Simon Shen¹

Guided by the authoritarian principle of the Chinese Communist Party, the People’s Republic of China’s move to introduce the Hong Kong National Security Law (henceforth “NSL”) in June 2021 shocked many not only in Hong Kong but also in the world. After all, Hong Kong has been known as the goose that lays the golden eggs for Mainland China in the past decades. It would be impossible for Hong Kong to succeed without its rule of law, liberal values, and vibrant civil society, which originated from the British colonial era, but now all have been effectively suppressed by the NSL. But the enactment of the NSL, sometimes referred to as “the second handover” for the city according to the pro-Beijing discourse, may not come as much as a surprise if we look back at the history of how Beijing dealt with the 1959 Tibet uprising. From the PRC’s official version of history, what happened in Tibet in 1959 and Hong Kong in 2019 were so-called “riots”, “rebellions”, or “color revolutions” that threatened the self-portrayed national security of China. Although such interpretations have been rejected overwhelmingly by the indigenous and locals in the two regions, it has nonetheless demonstrated a degree of consistency when Beijing comes to handling matters in peripheral regions like Tibet and Hong Kong.

This article highlights eight points of relative similarities between Beijing’s cruel repression of mass pro-autonomy or democracy movements in 1959 Tibet and 2019 Hong Kong. First, it suggests that despite a certain degree of autonomy offered/promised to periphery regions such as Tibet and Hong Kong by the Beijing government, any form of autonomy could be taken back by the Beijing government when it sees fit. As illustrated in the paper below, the promised autonomy in Tibet and Hong Kong was meant by Beijing to be temporary and transitional from the first day the related agreements were signed. Although it is a serious violation of the legal and moral principles behind sincere

¹ The author acknowledges the assistance of Arthur Wong and Hoi-suen Law for their research backup for this piece.

international agreements, to authoritarian regimes like the PRC, it matters little as long as the goals of complete control are achieved.

Conceptually, this paper acknowledges that the two cases of concern are neither equivalent nor independent: they were not equivalent in the sense that, although they shared similarities in, say, enjoying some degree of autonomy as periphery regions of China, they were, after all, not the same – Tibet and Hong Kong have a different history, demographics, culture, geography. For example, historically, Hong Kong (at least part of it, i.e. the New Territories) was only on lease to the British government and therefore was required to return to China at some point. However, what/who counted/represented as “China” was contested. In contrast, there was no such agreement between Tibet and China; they were not directly dependent in the sense that Beijing may learn from “the Tibet experience” when handling the case of Hong Kong. Essentially, this paper does not treat the two cases as experimental subjects as if two independent variables in an experiment of natural sciences. It recognizes that past happenings affect current events and that social relations are contingent.² That being said, this paper is cautious not to make unwarranted causal postulations. It hopes that, by highlighting the similarities the two cases share, it can shed light on the possible patterns of the Beijing government's handling of centre-periphery relations.

1. The Undeclared Transitional Nature of the “One Country, Two Systems” Principle

After the Communist government of the PRC claimed to have “liberated” the Tibetan region “peacefully” in 1951, the Seventeen Point Agreement was signed between the central government of the PRC and the Tibetan government in Lhasa, led by the 14th Dalai Lama. However, as temporary appeasement to internal dissidents and external pressure, Beijing did not altogether bring down the Tibetan government after defeating the Tibetan army. Instead, as demonstrated in the Seventeen Point Agreement, in order to convince the Tibetan leaders that their ways of life would remain unchanged and be fully respected, it offered a certain degree of autonomy to the Tibetan Kashag government, stating that it “shall carry out reforms of its own accord” without “compulsion on the part of the central authorities” (Point 11). This rather soft approach of Beijing (at least as shown in the Seventeen Point Agreement) may reflect its concerns about the deeply rooted influence the Kashag developed in Tibet over centuries, especially since the years after the de-facto

² For more detail discussions, see William Sewell Jr.'s *Logics of History* (2005).

independence Tibet achieved followed by the fall of the Qing Dynasty in 1912.

This bears a striking resemblance to the case of Hong Kong. The sovereignty of Hong Kong was handed over to the Chinese Communist government in 1997 after the signing of the Sino-British Joint Declaration in 1984 between the PRC and the United Kingdom, which governed the colony of Hong Kong since 1841. However, due mainly to the fact that the majority of the people in Hong Kong and their descendants fled from the Communist rule of Mainland China in the previous decades, Beijing presumed that the cooperation and support of the people of Hong Kong could not be gained immediately despite the change of official status of the city. The Beijing government was, to say the least, not pleased with the attitudes of the people of Hong Kong. After all, as illustrated in previous moves of the Chinese government, such as how it lobbied to remove Hong Kong from the UN's list of colonies in 1972 and prevented it from gaining possible independence. That said, the Beijing government has eyed the city of Hong Kong for a long. Yet, at the same time, the Chinese government also recognized the strategic importance of the city as an international financial center, such as how it could allow China to acquire global capital and foreign currency reserves without sacrificing the internal stability of the country. In other words, Hong Kong allowed China to engage with the world, hence gaining financial benefits, while not needing the ruling regime, i.e. the Chinese Communist Party, to change their ways of doing. Such was the context when the arrangement of "one country, two systems" was made, demonstrating that, at the time of the handover, the Chinese government was still willing to make a certain degree of concession to the established order and the way of life in Hong Kong. The perfect story plot for Hong Kong, in the eyes of Beijing, like its hope for Tibet in 1951, would be its gradual integration into Mainland China in a voluntary manner. This wish once seemed to have partially come true in Hong Kong before the anti-extradition bill movement in 2019, but only to a limited extent. The continual dissent the people of Hong Kong have been showing after the handover of the city demonstrates that the soul and blood of the people of Hong Kong, embracing universal values including liberty and the rule of law, are not Communist Chinese-red, or so they claim.³

The United Kingdom signed the Sino-British Joint Declaration with China in the hope of keeping China's communism, and more importantly, their implied totalitarian dictatorship, at arm's length from the Hong Kong citizens after 1997. It was signed on the premise that the British army in Hong Kong would not be able to fend off the PLA if the latter were to launch an attack, or the colony could not achieve self-reliance if Beijing

³ Anastasia Yip, "Hong Kong and China: One Country, Two Systems, Two Identities," *Global Societies Journal*, Vol. 3 (2015), pp. 20-27.

ceased to offer water and food supply.⁴ Whether these assumptions were accurate is another matter. The “one country, two systems” formula was nonetheless put into place to prevent the people of Hong Kong from experiencing a bumpy, shocking, unbearable change in scale when the sovereignty of Hong Kong was handed over to China. As a result, as agreed by both parties, the Declaration proposed that Hong Kong’s “capitalist system and way of life”, which was broadly seen by Hong Kong citizens to have included universal values like liberty, freedom and (limited) democracy, is to remain unchanged for at least 50 years. Such a 50-year time limit hints that Beijing could be fully entitled to reclaim everything in Hong Kong after 2047⁵, but no one was sure how the situation would play out by that time, not to mention if abrupt changes were to be introduced before 2047.

During Jiang Zemin’s and Hu Jintao’s presidencies, it could be said that the Chinese government relatively honored the Declaration by not interfering too much in Hong Kong’s domestic affairs. Of course, conflicts still occurred from time to time, but in a relatively manageable style. But much has changed since Xi Jinping ascended to the top and supreme power in the PRC in 2012. It was the same year Chun-Ying Leung, a hardcore pro-Beijing professional co-opted since the early 1980s, became Hong Kong’s Chief Executive by replacing the outgoing Donald Tsang, who was seen as representing the old vested interests and status quo of colonial Hong Kong. During Leung’s tenure as Chief Executive, Beijing released an important white paper on Hong Kong, stating that “the high degree of autonomy of the HKSAR is not full autonomy, nor a decentralized power; it is the power to run local affairs as authorized by the central leadership”, which triggered a series of large-scale civil protests that eventually led to the Umbrella Movement, when tens of thousands of citizens peacefully occupied the centric location in Hong Kong for 89 days, in 2014.⁶ In 2019, the then Chief Executive Carrie Lam pushed for the amendment of the now infamous Extradition Bill, resulting in a record-turning number of two million Hongkongers storming all the streets in the most crowded areas of the city. As a result, in 2020, NSL was issued in Hong Kong from a totally top-down manner by the National People’s Congress (NPC), without even the slightest degree of consultation conducted in Hong Kong, signalling the limited autonomy that Hong Kong enjoyed officially and irreversibly come to an end. We have a little clue whether the pro-Beijing Hong Kong leaders first spearheaded such policies or the Central Government or both, but what we are quite sure of is that the “one

⁴ John Carroll. *A Concise History of Hong Kong, Critical Issues in History*. (Maryland: Rowman & Littlefield, 2007).

⁵ Danny Gittings. What Will Happen to Hong Kong After 2047, *California Western International Law Journal*, Vol. 42, No. 1 (2011).

⁶ Michael C. Davis, "The Basic Law, Universal Suffrage and the Rule of Law in Hong Kong", *Hastings International and Comparative Law Review*, Vol. 38, No. 1 (Winter, 2015), pp. 275-298.

country, two systems” framework, like the one offered to the Tibetans under the Seventeen Point Agreement, is rapidly falling apart.

Granted, the Hong Kong Special Administrative Region (HKSAR) and its Basic Law are constituted in accordance with Articles 31 and 62 of the PRC Constitution. However, the source of the entire Basic Law is derived from the Chinese constitution, and the NPC also gives the so-called high degree of autonomy under Article 2 of the Basic Law, which means that the NPC is free to strip away the autonomy Hong Kong enjoys as it pleases. Without any request by the Hong Kong government or courts, the Standing Committee of the NPC initiated the re-interpretation of the Basic Law in 2004 and 2016, for instance, which was why at that time, many questioned its unilateral decision to change the legal system of the HKSARG. Some authoritative voices in Beijing even argued that the Basic Law was designed to give the CCP control in Hong Kong. Outside of the “generous” space allowed by the Chinese government before 2020, Hong Kong citizens still have no right to participate in any political events, such as the election of their chief executive and the absolute control of popular votes over the Legislative Council. Still, some forms of liberty were tolerated, just like the pre-1959 situation in Tibet. Afterwards, they were all gone.

The commitment of Beijing to Hong Kong’s high degree of autonomy is, in many ways, comparable to that of the Seventeen Point Agreement of Tibet. The latter included a total of 17 guarantees, including expelling the Kuomintang (KMT) and imperialist forces of aggression from Tibet, giving autonomy to Tibet, reaffirming centralized management of military and foreign affairs by the central government, and guaranteeing the status quo of the Dalai Lama and Panchen Lama as the political and religious leaders of Tibet remaining unchanged. But unfortunately, the Agreement was repealed by Beijing after the 1959 uprising, with the entire Kashag government led by the Dalai Lama being replaced by the newly established Tibetan Autonomous Government, which was governed in a centralized, top-down manner mainly similar to other provinces of PRC. Further deprived of the committed promises in 1951, the Tibetans were naturally enraged, seeding the later uprisings in Tibet after the exile of the Dalai Lama.

2. Geo-Political Sensitivity and Complexity

Similar to Beijing’s views on Hong Kong, Tibet is always a geo-politically sensitive region compounded of alleged “external elements” according to NSL’s definition (henceforth “EE”). Countries such as the United Kingdom and India, and to lesser extents Germany, Russia, the United States and France, all once historically deemed Tibet as being

within their sphere of influence. Beijing seemed to be convinced that the United States heavily supported and sponsored the Tibetan government in general and the 14th Dalai Lama in particular, although the connection between the two was rather weak before 1959. Even the Soviet Union, another superpower during the Cold War, showed interest in meddling in Chinese peripheral regions, including Tibet and Xinjiang. This deeply alerted Beijing, especially after the Sino-Soviet split in the later 1950s. The so-called “EE” above led the CCP to see Tibet as a chess piece used by global powers to subvert their regime. Thus all kinds of excessive and suppressive measures in Tibet were justified from this end⁷.

In a similar fashion, Hong Kong has been deemed by Beijing as the location where the West, led by the United States and Britain, seeded a so-called color revolution to spread liberal and democratic ideas into Mainland China in the hope of repeating the fate of the Soviet Union in the Chinese territories. According to the Chinese government and its supporters, the aim of this is to hamper China's rise. That became the cornerstone of the national security argument and the justification for implementing NSL in Hong Kong in 2020.

It is not uncommon that a government, autocratic or democratic, forges imaginary enemies to secure its rule. Historically, this was usually done by portraying some foreign individuals or countries as “EE”. When done right, it can arouse national sentiments and divert attention from domestic troubles.⁸ As the third largest financial and commerce hub and the seventh busiest port in the world, Hong Kong ranks among the best in terms of business environment and trade in goods, drawing a huge number of foreign investors.⁹ Moreover, as a former British colony, Hong Kong is home to a significant number of foreigners, many of whom have become Hong Kong permanent residents.

Consequently, Hong Kong has become a melting pot where people from all over the world come and reside, which is why there are many “EE” in the city. This was precisely the formula of success when Hong Kong contributed significantly towards the open reform of the PRC after 1978. Most people in Hong Kong would agree that the international community in Hong Kong primarily commits to financial activities instead of spying activities, let alone trying to subvert the HKSAR or the Chinese government. However, in

⁷ A. Tom Grunfeld, *The Making of Modern Tibet*, (London: Routledge, 1992).

⁸ Tarun Chhabra and Ryan Hass, "Global China: Domestic politics and Foreign Policy", The Brookings Institute (2019).

⁹ World Shipping Council. “The Top 50 Container Ports.” (2020), Browsing Date: 2022/08/21, World Shipping Council, <https://www.worldshipping.org/top-50-ports>. Legatum Prosperity, “Legatum Prosperity Index 2021 - Hong Kong.” (2021), Browsing Date: 2022/08/21, Legatum Prosperity Index 2021, <https://www.prosperity.com/globe/hong-kong>.

such a politically-sensitive time that the PRC is facing after Xi's ascending to power with an increasingly aggressive stance towards the rest of the world exhibited, anyone could be identified as "EE" who has malicious intentions against Beijing. Just like how Chairman Mao used similar reasons to justify the Anti-Rightist Movement, the Cultural Revolution, and the suppression of the Tibetan uprising in 1959.

Ironically, let's turn our attention to the recent history of China. It is perhaps not too difficult to realize that the Chinese government specifically established Special Economic Zones (SEZ) to attract these so-called "EE" to invest in Mainland China. In fact, in the 1980s, the Chinese government began to establish numerous SEZs: Shenzhen (1980), Xiamen (1980), Zhuhai (1980), and Shantou (1981). It shall be noted that these four SEZs were geographically placed in proximity to Hong Kong (in the case of Shenzhen), Macau (in the case of Xiamen), and Taiwan (in the cases of Zhuhai and Shantou), which can be interpreted as an attempt by the Beijing government to attract "overseas Chinese capitals" from these China-affiliated regions. In these SEZs, more flexible economic measures, which were comparatively more market-oriented than elsewhere in China, were granted. In addition, lower taxation provided business incentives for more foreign businesses to invest in China. The SEZs, therefore, in some ways, was set up to attract foreign investment and technology.

Furthermore, almost at the same time, in 1984, the Chinese government opened 14 coastal port cities – Dalian, Qinhuangdao, Tianjin, Yantai, Qingdao, Lianyungang, Nantong, Shanghai, Ningbo, Wenzhou, Fuzhou, Guangzhou, Zhanjiang and Beihai for foreign investments, as modern port infrastructures were developed in these cities, laying a sound foundation for China's export-oriented strategies. However, despite these efforts, the Chinese government has yet to completely replicate the success of Hong Kong, given the latter's original strong justice system that was instilled with the spirit of the rule of law¹⁰. As such, although China today no longer heavily relies upon Hong Kong's capital investment as it once did in the 1980s, given the impossibility of creating another city that is ruled by common law and possesses its currency linked to US dollars, the city remains to be an asset to China – that is, economically speaking.

However, the political unrest in 2014 (the Umbrella Movement) and 2019-20 (the anti-extradition bill movement) have seriously alarmed Beijing and were the last straw, as they demonstrated that the public of Hong Kong, "brainwashed" by the "Western" values,

¹⁰ Li Yu-wai Vic, "The Irreplaceable Outpost? Whither Hong Kong in China's Financial Future", *China Review*, Vol. 20, No. 3 (2020), pp.261-278.

stands on the side of the foreign countries, instead of that of the central government of China. Even though suppressing the movements a hard way may risk harming the special status of Hong Kong, which was, to a great extent, built upon its rule of law and liberal values, Beijing remained determined to grasp complete control of the city. The Chinese government has since picked up its pace to implement a series of financial, social, and legal reforms in Shenzhen. Its rationale is clear – to take over its international financial function, if possible by other Chinese cities like Shanghai and Shenzhen, and to sideline and replace Hong Kong further to reduce the city's importance to the country.

Likewise, suppressing Tibet's autonomy would undoubtedly convey to the world that religious freedom is not tolerated in Communist China, which would adversely affect the incentive of global investors. But, unfortunately, what was done has been done. It is, therefore, rather absurd to say that the foreign activities conducted in a special administrative region like Hong Kong or an autonomous region like Tibet are proofs of foreign forces. On the contrary, under British rule, Hong Kong became a cosmopolitan and prosperous city that operated in a capitalist fashion. And under the Dalai Lama, Tibet preserved its indigenous culture in a pure way that successfully fended off most foreign interventions. Beijing knew it perfectly well and once treated Hong Kong as a bridge to link the country with the liberal world and Tibet as a bridge to communicate with the global religious community. But when the message was no longer needed, so was the special treatment.

3. Mass Movements: A Tipping Point for the People, a Turning Point for the Regime

Communist China has long been proudly upholding its so-called “do not fire the first shot” policy to distinguish itself from imperialist countries. So naturally, they needed an excuse if they were to amend the Seventeen Point Agreement in Tibet or the one-country two-system arrangement in Hong Kong. Mass movements in the two places triggered by CCP’s misdoings, demonized as “anti-governmental riots” or “terrorist acts sponsored by EE” by Beijing, were then seen and used as the perfect unilateral justification.

In 1959, an uprising erupted in Norbulingka, Lhasa, due to a combination of factors, including forced assimilation of Tibetan regions outside the Kashag’s control and the escalated conflicts between the Han migrants and indigenous Tibetans. Seeing chaos in Lhasa as a welcoming sign, the Beijing government did not immediately order the People’s Liberation Army to suppress the protests. Eventually, tens of thousands of Tibetans

escalated their actions, occupying major streets in Lhasa, establishing their legislature and demanding the CCP leave their land. According to historical records, this was just the ticket for Mao – “the more chaotic, the better,” was what Mao wished for.¹¹ The scale-up of the protests in Tibet turned into a full-scale mass movement enjoying popular support, thus becoming the perfect excuse for Beijing to interfere with a heavy hand. Derived from ancient Chinese feudal dynasties instead of Karl Marx, there is a famous Chinese idiom repeatedly used by Mao and other Chinese Communist leaders to describe the strategy: “to draw a snake out of its hole” (*yinshechudong*).

The same “snake” metaphor can also apply to the case of Hong Kong in 2019. In the beginning, the Beijing-backed HKSARG was unsure how to handle the anti-extradition bill movement of such a scale. This was shown by its initial decision to go with what was planned for the bill’s passing. Such a strong stance was suddenly reverted when the bill was temporarily suspended, but at the same time, police brutality became the norm, and resistance from the public has passed the point of no return. On 1st July 2019, thousands of protestors intended to break into the Legislative Council building, an act comparable to the Tibetans’ establishing their chamber in 1959, to metaphorically illustrate that the democratic system in Hong Kong was rigged. Paradoxically, a significant amount of police stationed inside the building suddenly retreated, allowing the protestors to break into the symbolic regime stronghold without any resistance. On 21st July 2019, thousands of mobs wearing white began to attack passengers, mostly dressed in black, showing support for the movement in the Yuen Long railway station. Still, the police only showed up after over half an hour, effectively allowing numerous passersby, reporters, and even a pregnant woman to be injured by the mob. The population widely believed it to be a planned attack coordinated by the mob and the police beforehand, although the regime denied it.

As the movement increased momentum, the regime devised a more strategic plan against the movement. This was done, on the one hand, by arming and militarizing its police force to make sure that the protestors stood no chance in fighting against the police; and, on the other hand, by hiring global public relations firms to improve the image of the HKSARG through portraying the protestors as “rioters” and “terrorists”. This evidences how the protests had come to a point deemed by Beijing to be the perfect turning point to bring radical changes to the city, resulting in the enactment of NSL that amounts to the

¹¹ Xinhua News China. “Xinhua News’ announcement on the Tibetan rebellion”, (1959/03/28), Browsing Date: 2022/08/23, Archive.Today; archive.ph., <https://archive.ph/20121209203014/http://www.tibetology.ac.cn/zh/component/content/article/253--1/4373-2010-03-19-13-39-29?view=article&id=4373:2010-03-19-13-39-29&catid=253:-1>

so-called “second handover”. So Chief Executive Carrie Lam’s attitude towards the extradition bill changed from apologies to “I do not feel guilty; what wrong have I done?” after NSL’s enactment in 2020.¹²

The above illustrations demonstrate how the Beijing government employed a similar tactic in suppressing an anti-regime movement. First, it waited until Tibet and Hong Kong movements grew more mature as they stepped in with disproportional force. Then, realising the protests did not stand a chance against them in a mere military sense, it made no attempts to reach a peaceful settlement with the oppositional camps. Once the movements reached a certain threshold, the Chinese government deemed it appropriate to extinguish them. In such a way, it (i) legitimized their suppressive moves to a certain extent; (ii) allowed them to execute plans to bring fundamental changes to the rebellious regions to ensure that similar rebellions would become less likely to happen in the future.

4. Economic Resources and Vested Interests Reshuffling and Forced Assimilation

In the early 1950s, when seeking to implement nationwide land reform, as the Seventeen Point Agreement promised, the Chinese Communist regime was cautious not to implement in the region directly governed by the Kashag. However, the intention to redistribute vested interests in Tibet was well-declared. The rationale behind it was complicated, involving the ideological underpinnings of the CCP and the geopolitical need to diminish Tibet's strategic importance and redistribute and reshuffle resources from entrenched interest groups to favored stakeholders. A better way was for the Kashag to turn themselves into collaborators, to voluntarily implement the land reform in their own way. The Kashag tried to stand firm but eventually failed. As a result, the distribution of economic sphere of influence within Tibet today differed hugely from that in 1951.

After 1959, Beijing propped up Ngapoi Ngawang Jigme as the Chairman of the newly established Tibet Autonomous Region. From that time forth, the Han Chinese and the co-opted Tibetans, many of them joined the CCP, became the decision-makers in Tibet. During the Cultural Revolution, there were even attempts to uproot the traditional Tibetan culture, resulting in the long-term imprisonment and insulation of the Panchen Lama, who chose to remain. Only in the reform era had the Panchen Lama rehabilitated, with his

¹² SCMP Reporter, “*Hong Kong’s leader in her own words on protests, turmoil and the future*. South China Morning Post”, (2020/11/30), Browning Date: 2022/08/23, www.scmp.com/news/hong-kong/politics/article/3111857/carrie-lam-interview-hong-kongs-leader-her-own-words

related groups re-incorporated into the larger socio-economic structure of Tibet. But the elemental composition has already been shuffled.

With regard to post-1997 Hong Kong, Beijing also expected the reshuffling of the economic resources of the former British colony. Instead of upholding the checks and balances principle like in democratic countries, Beijing under Xi Jinping advocates the “fusion of power” principle in Hong Kong, where the executive, legislative and judicial branches of government are told to intermingle and cooperate with each other. Besides what has been written on official papers, the aim is also to reduce the influence of local elites in their respective previous roles in the local regime. After all, it was relatively tedious to tame the Hong Kong elites and officials trained in the British colonial era because of ideological reasons and the vested interests behind them.

In many ways, the Chinese government has expected the people of Hong Kong to understand the *realpolitik*: Hong Kong was handed over to China in 1997, and “that is the unshakable destiny”.¹³ The wishful thinking was for the people of Hong Kong to hand over their economic privileges to the central government. The two large-scale mass movements in 2014 and 2019 proved otherwise when Beijing saw a substantial amount of middle class and businessmen standing against the plan despite their nominal loyalty declared. To gain complete control over Hong Kong, NSL was only the prelude. The by-product, if not the main goal, was a forceful attempt to insert Mainland Chinese interests into the business and professional sectors in Hong Kong. Resembling land reform in Tibet after 1959, the “voluntary” transfer of property by leading developers in Hong Kong has already been started. In 2021, a year after the passing of NSL, a total of 139.8 billion HKD was raised by Chinese companies listing in Hong Kong; In 2022, the People’s Bank of China and Hong Kong Monetary Authority signed a regular RMB-to-HKD currency conversion agreement with a 940 billion HKD conversion scale.¹⁴ The implied full economic assimilation and integration were all but obvious.

Besides the upper-middle class, one must also not forget that fundamental changes took place at the bottom level in Tibet and Hong Kong. For instance, like the influx of Han Chinese laborers to Tibet after 1959, a one-way permit scheme allows a daily quota of 150 mainlanders to settle in Hong Kong after 1997. According to the Hong Kong Census and

¹³ Chris Patten, “Hong Kong Handover Ceremony Address” (30/6/1997), Browsing Date: 30/6/2022, <https://www.americanrhetoric.com/speeches/chrispattenhongkonghandoverceremony.htm>.

¹⁴ Deloitte. “2021 Review and 2022 Outlook for Chinese Mainland and HK IPO Markets”, (2021/10/26), Download Date: 2022/08/23, Deloitte China; www2.deloitte.com, <https://www2.deloitte.com/cn/en/pages/audit/articles/mainland-and-hong-kong-ipo-markets-to-remain-strong-and-vibrant-in-2022.html>

Statistics Department, the number of individuals who entered Hong Kong using such permits has exceeded one million.¹⁵ In some years, the number of individuals who entered Hong Kong with a one-way permit exceeded the city's natural population growth. This figure does not include those who use the Quality Migrant Admission Scheme to be on board. Just like what happened in Tibet, among the 7.5 million population of Hong Kong in 2020, over 20% are recent Chinese immigrants. As more and more local HongKongers leave the city, the proportion of Mainland Chinese immigrants is expected to rise further, leading to the city's de facto "mainlandization". Mandarin is replacing Hongkongers' mother-tongued language Cantonese at all working levels, and if this trend continues, it is only a matter of time. It is not only about languages: its implication on the redistributed economic interests in post-NSL Hong Kong is another push factor signalling Hongkongers to leave.

5. From the United Front Strategy to All-Rounded Suppression

When PRC annexed Tibet in 1951, it built united fronts with Tibetan elites like the Dalai Lama and Panchen Lama, and also other members of the Kashag ruling class members to buy time. However, after the 1959 uprising, the united front era ended, as paying symbolic respect to the people of Tibet was no longer necessary. Suppression was the name of the game after 1959. As proven by the intermittent uprisings once every few years ever since, a growing sense of hatred towards Beijing was observed among the Tibetans. Still, their opinions and feelings mattered little to the new ruling class. All that Beijing was concerned about was how to tell a good "Tibet story" to strengthen their ruling legitimacy and nurture proper Chinese nationalism in other peripheral regions of the country. According to the report filed by the International Commission of Jurists (ICJ), a human rights NGO, the Chinese government engaged in active cultural suppression in Tibet. This included bombarding thousands of monasteries and refraining the Tibetans from practising Buddhism. The report further alleged that the Beijing government had violated Articles 3, 5, 9, 12, 13, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26 and 27 of the Universal Declaration of Human Rights (UDHR) in Tibet¹⁶, including the right to freedom of religion, of expression, of association, of thought. The report also highlighted evidence that "the heads of monasteries have been killed, imprisoned, publicly humiliated". It was

¹⁵ "Operation of One-way Permits scheme" (2019/03/20), Browsing Date: 2022/06/04, "The Government of Hong Kong Special Administrative Region Press Releases", <https://www.info.gov.hk/gia/general/201903/20/P2019032000536.htm>

¹⁶ "ICJ Report on Tibet and China (excerpt)" (1960), Browsing Date: 2022/09/02, <http://www.tibetjustice.org/materials/govngo/govngo2.html>

documented that, by 1979, an estimated 600,000 monks and nuns were missing, imprisoned, or dead, while most of the 6,000 monasteries in Tibet were destroyed.¹⁷

Before the sovereignty of Hong Kong was handed over to China in 1997, PRC employed a similar united front strategy as when they first ruled Tibet. Businessmen, senior civil servants, political figures in the British era, professionals, academics, journalists and the like were all co-opted by Beijing to advance their control and interests in the city. Even leading figures of the democratic movement, Martin Lee and Szeto Wah, were appointed to the Basic Law Drafting Committee. Only after 2019 did Beijing replace the united front strategy with utter repression. It matters no more whether one is a professional like a lawyer, teacher, doctor, journalist or social worker: if they did the “wrong” things politically, they would need to pay the bill. When all the key personnel of the opposition movement were arrested or forced into exile, the remaining would have no choice but to pledge nominal loyalty to the regime. HKSARG also forced everyone who works for the government to take the oath of allegiance to the PRC, and the non-conformist ones will risk job security and the possibility of violating Article 20 of the NSL by “provoking hatred towards the government”.¹⁸ It will not be surprising if private corporations have to follow suit. Even worse, employees and parents are now encouraged to report “suspicious” colleagues and teachers, creating huge mistrust among various groups of people in society. So united front became obsolete and irrelevant.

After 1959, PRC abolished the Kashag government in Tibet, forced land reform and appointed obedient puppet officials in the new autonomous government. After 2019, the principle of so-called “patriots ruling Hong Kong” was firmly established in Hong Kong, leaving anyone that Beijing defined as “unpatriotic” deprived of their political rights granted by the Basic Law. Moreover, Carrie Lam, then Chief Executive who stirred up the anti-extradition bill campaign, was replaced by former police officer John Lee, implying the further rectification of NSL. So far, Lee has done a thorough job: when Beijing condemned US House Speaker Nancy Pelosi’s visit to Taiwan, for example, Lee led every single cabinet member of HKSARG to follow suit by giving lousy and lengthy opposition statements, even when the HKSAR government is not supposed to handle diplomatic issues. Lee also spared no time to continue dismantling the remaining civil society groups and furthering prosecution of the 2019 protestors.

¹⁷ Jane Ardley. ""Tibet: Religion, Resistance and the State"". *The Tibetan Independence Movement: Political, Religious and Gandhian Perspectives*. (London: Routledge, 2002). pp. 22.

¹⁸ Article 29 (5)“ provoking by unlawful means hatred among Hong Kong residents towards the Central People’s Government or the Government of the Region, which is likely to cause serious consequences.”

In Mainland China, like other Communist countries, several satellite parties are known as “democratic parties and groups” to supplement CCP’s dictatorship.¹⁹ They also have membership in Tibet. Hong Kong poses a slightly different case. Before NSL, despite the undemocratic nature of the legislature’s composition, it is still theoretically possible for the pan-democratic camp to gain the majority of the seats. But in 2021, Beijing introduced a revised format of the Legislative Council Election, which, to put it shortly, significantly reduced direct public votes and reassigned the most number of seats to a Beijing-controlled “electoral committee”.

Moreover, all candidates now have to pass the patriotic vetting, leaving anyone declared unpatriotic by the screening committee ineligible to run. The aim was to ensure that from now on, only “patriots” are entitled to participate in the governance of Hong Kong²⁰. As a result, the Legislative Council became a rubber stamp like the regional level of the National People’s Congress, effectively nullifying the concept of opposition parties, the original target of a united front.

Like in Tibet after 1959, the regime then turned its attention to media outlets in Hong Kong that did not stand on their side. Since the enactment of NSL, numerous pro-democracy media, such as *Apple Daily*, *The Stand News*, and *Citizen News*, among others, have been forced to shut down. Many of their core personnel were charged by NSL for “colluding with external forces” and “subverting the regime”. Moreover, numerous worker unions, political parties, civil rights groups, and independent organizations have been disbanded. The Hong Kong Alliance in Support of Patriotic Democratic Movements of China, one of the most prominent civic groups well-known for organizing the annual vigil to commemorate the Tiananmen massacre since 1989, was also forced to shut down with its core personnel imprisoned by NSL without even trying.

Another measure of forced assimilation in post-2019 Hong Kong, comparable to post-1959 Tibet, was to revolutionize its education system by rejuvenating “national education”, which was initially raised by the then chief executive Chun-ying Leung in 2012 and was later scrapped amid protest. All public universities in Hong Kong now have launched national education courses; if students, including exchange students at the University of Hong Kong, are to graduate, they must complete the study titled “Introduction to the Constitution, the Basic Law and the National Security Law”. There were always

¹⁹ James D. Seymour, “China’s Satellite Parties Today”, *Asian Survey*, Vol. 26, No. 9 (Sep., 1986), pp. 991-1004.

²⁰ Aleksander Solum, “Hong Kong candidates run in “patriots”-only legislative election” (2021/12/19), Browsing Date: 2022/06/15, “Reuters”, <https://www.reuters.com/world/china/hong-kong-candidates-run-patriots-only-legislative-election-2021-12-18/>

worries that the HKSARG was planning to replace Cantonese with Mandarin as the medium of instruction for Chinese school lessons. Although it was at present dismissed by the Education Bureau of HKSARG, judged from the precedents in Tibet, signals are far from positive.

6. The Ship of Theseus: Under-Estimation of Beijing's Brutality

Another similarity between 1959 Tibet and 2019 Hong Kong was the general under-estimation by their respective population towards Beijing's brutality and its determination to disregard any written rule stipulated in international agreements. In 1959, by bringing some international attention to the uprising and offering generic statements, the Kashag might have hoped to increase their bargaining power against Beijing. The Kashag was understandably sympathetic to the protestors, yet many of the latter's actions were beyond the Kashag's control. Despite all these, there is little evidence that the Kashag was planning a showdown with Beijing, and the eventual repudiation of the Seventeen Point Agreement caught almost everyone by surprise.

The same goes for Hong Kong. The 2019-20 Hong Kong protests began with a single aim, i.e. to withdraw the extradition bill that allowed fugitives to be lawfully transferred from Hong Kong to mainland China. Then they sought to establish an independent commission of inquiry into the whole event, particularly police brutality involved in suppressing the movement. Finally, protestors brought the international spotlight to the movement to pressure Beijing; at a later stage, some protestors even went as far as subscribing to the idea of "if we burn, you burn with us"²¹. Still, despite such rhetoric, the people of Hong Kong have always assumed that Beijing will not risk Hong Kong's status as an international financial centre and will not ruthlessly bring down the entire system of law and order. Moreover, many believed that since Hong Kong was a global city, the regime could not wholly disregard the ongoing human rights violation, given the international attention received. Sadly, they were all wrong.

Another point worth illustrating is the agency of Xi Jinping. In both cases, we could observe that after Xi stepped up to become the party leader of the Chinese Communist Party, the Beijing government has since employed more stringent policies in both "rebellious" periphery regions than his predecessors like Hu Jintao. Notably, in the case of Tibet, the Beijing government began to incorporate cutting-edge technology in its

²¹ Agnes S. Ku, "New forms of youth activism – Hong Kong's Anti-Extradition Bill movement in the local-national-global nexus", *Space and Polity*, Vol. 25, Iss. 1 (2020), pp. 111-117.

repression of Tibetans. Since Chen Quanguo became the Communist Party Secretary of the Tibet Autonomous Region in 2011, intrusive surveillance technologies have been developed and implemented in Tibet. For example, homes of native Tibetans were forced to install QR codes, which, when scanned, can immediately get access to all the details of the persons living there. Also, to “maintain public security and social order”, a “grid-style” social management system was employed to target (potential) problematic individuals to the regime.

In Hong Kong, after the ascendency of Xi, we get to witness at least two mass movements – the Umbrella Movement that was sparked by the ‘831 decision’ made by the Standing Committee of the National People's Congress (NPCSC), which essentially crushed the hope that genuine universal suffrage would be exercised in the city, and the Anti-extradition movement that was ignited by the insistence of the HKSARG to pass the Fugitive Offenders amendment bill on extradition despite public outcry, among the tremendous number of protests and demonstrations of smaller scales. It is, of course, unclear how directly Xi is involved in both cases, given the lack of transparency in the decision-making process in the Beijing government. However, it is safe to assume that Xi, as the head of state for the country, at least agreed to, if not directly planned, the aforementioned stringent policies in Tibet and Hong Kong.

In some ways, the people of Tibet and Hong Kong have both underestimated the determination of the CCP to extinguish not only the opposition force but also anyone who dares to show genuine localist, liberal sentiments, including the moderates. In 1959 Tibet, the PLA eventually crushed down the entire uprising with huge casualties suffered from the indigenous side. On the other hand, in 2019 in Hong Kong, from the siege of the Hong Kong Polytechnic University campus that led to huge arrests, postponing and modifying the Legislative Council “election” rules” to the enactment of NSL, Beijing showed no mercy at all. In the end, the determination of will, together with the lack of self-constraints and moral obligation, differed the CCP from its challengers in the peripheral regions like Tibet and Hong Kong.

7. Exile, Emigration, and the Mass Exodus

As the Chinese troops were steps away from Lhasa in 1959, the 14th Dalai Lama was forced to flee to India along with roughly 80,000 Tibetan followers. Tibet then did not have a large population; even Lhasa was only home to tens of thousands of people, suggesting that a significantly huge proportion of Tibetans had fled from their homeland for good ever

since. The Dalai Lama eventually settled in Dharamsala, the winter capital of Himachal Pradesh, as he set up an exile government with India's patronage. During his years in exile, the Dalai Lama travelled extensively to the rest of the world, as he sought to bring international awareness to Tibet's plight and spread the teachings of Tibetan Buddhism. For those who stayed in Tibet within the PRC, even the slightest resistance to the government would be deemed crimes of secession, subversion, terrorism, collusion with foreign organizations, and the like.

One should be reminded that according to Article 1 of Annex 1 of the Seventeen Point Agreement, "the Central Government will station the People's Liberation Army in Tibet. The scale has about one division". The Eighteenth Division of the PLA has been stationed at key traffic points and border checkpoints in Tibet. This division contained 30,000 personnel, with 3,000 troops stationed in Lhasa alone.²² With an army this big, it was highly improbable for 80,000 people to escape from Tibet and pass these tens of thousands of PLA troops without being noticed. While Tibetan activists found it increasingly difficult to move out in later years, reasonable speculation for the mass exodus in 1959 suggests that the Communists intended not only to let the Dalai Lama go, but also his core supporters preferred stationing overseas, maybe to speed up the assimilation process between the Tibetans remained and the incoming Han migrants.

The 14th Dalai Lama may be in exile, but at least he is free from the control of the Beijing government. Gedhun Choekyi Nyima, recognized by the 14th Dalai Lama as the next Panchen Lama, was kidnapped two days after Dalai Lama's announcement. He was only six years old when he was abducted. Months later, the Beijing government announced Gyaincain Norbu as the "real" incarnation of Panchen Lama. It has seen sparked a huge controversy. Panchen Lama was considered the second-most important figure in Tibetan Buddhism behind Dalai Lama. Panchen Lama is important not only because of their status but also because he holds the legitimacy to announce the next Dalai Lama when the current Dalai Lama dies.²³ In other words, if one could control the inauguration of Panchen Lama, one also gets to decide the successive Dalai Lamas, which is why much is at stake regarding who the genuine Panchen Lama is. Not to mention the previous Panchen Lama, the 10th Panchen Lama, Choekyi Gyaltsen, who was critical of Beijing's Tibet policies, most notably through writing the 70,000 Character Petition to Prime Minister Zhou Enlai in 1962 to express the hardships of the Tibetans under the Beijing rule. Therefore, it made all

²² Michael G. Davis, "Repression, Resistance, and Resilience in Tibet", *Georgetown Journal of International Affairs* Vol. 12, No. 2 (Summer/Fall 2011), pp. 30-38.

²³ Elizabeth Hilton. *The Search for the Panchen Lama* (New York: W. W. Norton & Company, 2000).

sense for the Chinese government to take control of the “bloodline” of the Panchen Lama to avoid the rise of another Dalai Lama or Panchen Lama.

Similarly, after NSL, quite a number of prominent leaders from the non-establishment camp in Hong Kong fled the city, including former Legislative Councilors Nathan Law and Ted Hui. Although their status cannot be compared with that of the Dalai Lama of Tibet, their continual presence in the global arena, including the Global Democratic Summit convened by the United States in 2021, helped put Hong Kong issue on the world map in a sustainable and, perhaps, perpetual manner. Moreover, partially inspired by the Tibetan parliament-in-exile, in August 2022, overseas Hong Kong businessman Elmer Yuen announced the plan to set up a global “Hong Kong Parliament”.²⁴ Moreover, a new wave of emigration from Hong Kong started in 2019. Hundreds of thousands have fled from Hong Kong to democratic countries such as the United Kingdom, Canada, Australia, the United States, Japan and Taiwan. Based on the trend, a total number of at least one million Hongkongers and their descendants leaving Hong Kong in a decade is a relatively conservative figure. Coupled with the two million Hong Kong diasporas already settled in various parts of the world before 2020, this global diasporic Hong Kong community could be quite a critical mass with economic power that nobody can bluntly dismiss their importance outright.

While the mass exodus from Hong Kong has drained talent and capital from the particular administrative region and diminished the status of Hong Kong as an international financial center, it also created a lot of vacancies in all kinds of strategic positions in Hong Kong, most of them held initially by traditional elites educated in a western manner. Like in post-1959 Tibet, Hong Kong after 2019 existed, the exodus created a power and talent vacuum, resulting in the speedy refilling process dominated by loyalists to Beijing, opportunists and defectors. While the overseas diasporic communities of Tibet and Hong Kong gradually prospered, inevitably, gradual alienation would be seen between those who left and those who remained. Although the diasporic communities never renounce their rights to return to their hometowns, the prospect of any mass return depends only on the mode of governance back here. Given what has been seen, any foreseeable improvement remains highly doubtful.

²⁴ Jojo Man and Amelia Loi, "Hong Kong to pursue Canada-based political activists under national security law" (2022/08/03), Browsing Date: 2022/08/09, "Radio Free Asia", <https://www.rfa.org/english/news/china/hongkong-exiles-08032022123706.html>

8. Responses from the International Community and their Limitation

The international community did not completely turn a blind eye to the tragedies of Tibet or Hong Kong. The United Nations General Assembly passed three resolutions in 1959, 1961, and 1965 respectively, regarding the Chinese suppression of the Tibet uprising, while PRC was not even a member of the UN then. These resolutions expressed concerns over the violation of Tibetans' human rights and freedom, including the right to self-determination and religious freedom.²⁵ They certainly made some noise in the international community. Still, as they were not legally binding for Beijing, there was a notable limit on what actually could be achieved by the international community. Taking refugees from Tibet and harbouring its government-in-exile in Dharamsala seemed to be the realistic limit that could be expected.

Sixty years later, given the cosmopolitan nature of the Hong Kong, the 2019-20 mass movement has received much international attention. Many countries have responded by making official statements to condemn the Chinese government, sanctioning responsible government officials in China and Hong Kong under various versions of the Global Magnitsky Act, cancelling or suspending their extradition agreements with HKSARG, offering safe havens for Hongkongers and introducing policies to welcome immigrants from Hong Kong, to name a few. However, none of these measures was able to deter Beijing's determination to declare NSL. Moreover, given the enormous economic influence, China has leveraged over many countries, expecting more concrete measures from any of them to stand up against Beijing for Hong Kong seems to be out of the question.

The United States was among the ones that responded most vigorously towards NSL. Since then, it has featured Hong Kong in the list of attention and Tibet and Xinjiang in its Chinese foreign policy-making process. Specific responses besides the aforementioned generic measures included cancelling some of Hong Kong's special status provisions and the associated commercial privileges. Passing the Hong Kong Human Rights and Democracy Act at the peak of the movement in 2019, Washington has also provided a long list of minor sanctions, including banning visa applications for a substantial number of Chinese individuals or students suspected of affiliating with the CCP.²⁶ Indirectly related

²⁵ Lau Wing Patricia and Jeffrey Sims, "Human Rights in Tibet: An Emerging Foreign Policy Issue", *Harvard Human Rights Journal*, Vol. 5 (1992), pp. 193-204.

²⁶ BBC News. "US Revokes Visas for 1,000 Chinese Students Deemed Security Risk - BBC News.", (2020/09/10), *Browsing Date: 2022/08/26*, www.bbc.co.uk/news/world-us-canada-54097437.

was the decision to bar some Chinese companies from continuing their listing in the United States due to the lack of a proper and transparent auditing process. To a certain extent, the anti-extradition bill movement in Hong Kong has added fuel to the fire of the U.S.-China trade war. Unsurprisingly, like how they saw the global sympathy given to Tibet, Beijing named these US policies in solidarity with Hongkongers as “incitement to separatist activities”.

Another major country that stepped up for Hong Kong is the United Kingdom, which held the sovereignty of Hong Kong for over 150 years. Although the British government might not have expected the unfolding of events in 2019 when the Sino-British Joint Declaration was signed in 1984, it is seen by many as having a moral obligation to the people of Hong Kong. In response, the UK government came up with the British National (Overseas), or BN(O), visa program, allowing qualified citizens of Hong Kong to live, work, and study in the UK; once one has lived in the UK for five years under this scheme, one is eligible to stay permanently as a British national citizen. Comparable to similar schemes offered to the Vietnamese refugees by various countries after the fall of Saigon in 1975, it is among the most generous humanitarian support schemes in the West in recent decades. Over 120,000 people from Hong Kong have applied two years after the scheme was introduced, while London expects over 320,000 applicants in the next five years.²⁷ Canada and Australia have also released similar haven or “lifeboat” schemes that allow Hongkongers, especially the younger generation that recently graduated, to settle down. Liberal Asian countries like Taiwan and Japan, geographically and emotionally close to Hong Kong, responded accordingly. While many Hongkongers left for Taiwan, either as a permanent base or as a transient stop towards third countries, as a rare measure seeing the looming crisis in the region caused by China, Japan also voiced out its concern over Hong Kong’s NSL and furthered its commitment to the Taiwan Strait.²⁸

The packages offered by these countries towards Hongkongers after 2019 could be seen as even more comprehensive than those provided to Tibetans after 1959. But it does not mean that the global attention towards Tibet was less enthusiastic. On the contrary, since the total number of Tibetans requesting to migrate after 1959 might be less than that

²⁷ Lindberg, Kari Soo. “*Hong Kong Applications for BNO Visa Jumped During Covid Outbreak.*”, (2022/05/13), Browsing Date: 2022/08/26, Bloomberg, www.bloomberg.com, <https://www.bloomberg.com/news/articles/2022-05-13/how-a-british-passport-offers-escape-for-hong-kongers-qui-cktak-e-l33sw83o>.

²⁸ Pohlkamp, Elli-Katharina. “*Tough Dove: Japan’s China Policy under Its next Leader – European Council on Foreign Relations.*”, (2021/10/01), Browsing Date: 2022/08/26, European Council on Foreign Relations, ecfr.eu, <https://ecfr.eu/article/tough-dove-japans-china-policy-under-its-next-leader/>.

of Hongkongers after 2019, it was relatively easier to accommodate them in the West without necessarily introducing tailor-made new schemes. On the other hand, the Tibetans have a government in exile to lobby the West on their behalf, while the overseas Hongkongers have none.

9. Conclusion

Even though many countries from the West have responded unfavourably against Beijing's behaviours in Tibet and Hong Kong, the Chinese government is still confident in its justification of the drastic changes imposed. To Beijing, Tibet has witnessed tremendous economic growth in recent decades, while Hong Kong remains attractive if countries and companies are still open to conducting business with China. Moreover, before the 2019-20 protest, Hong Kong was China's largest foreign investment market, accounting for approximately 70% of the total foreign direct investment.²⁹ This figure alone has not witnessed many alternations afterwards.

Despite the vast differences in historical contexts between Tibet and Hong Kong, Beijing has adopted a similar approach to tame the two regions – the use of the “one country, two systems” formula to buy time, making use of large-scale social movements to have them demonized, and the transition from relatively gentle and indirect handling to the eventual completely top-down totalitarian control. Jianglin Li, a scholar, specialising in studying post-1950 Tibetan history and diasporic community, contends that Mao's Tibetan policy could be understood as a grand experiment for governance with Chinese Communists characteristics.³⁰ This includes examining ways to tame rebellious peripheral regions mercilessly. Unfortunately, such an experiment seems to have been repeated in 2019 in Hong Kong. Hence there is no secret that the Chinese government has long wished to apply the same “one country, two systems” formula to Taiwan. It would be in the fundamental interests of the civilized global world to stop the CCP from repeating the same brutal experiment. If the tragedies of Tibet and Hong Kong can serve as wake-up calls for Taiwan, their temporary sacrifices, at least, would serve some meaning.

Although the Beijing government has mercilessly suppressed the democratic/liberal movements or resurrections (or “riots” in Beijing's perspective) of both Tibet and Hong

²⁹ Ministry of Commerce of the People's Republic of China. “2019年1-7月全国吸收外商直接投资快讯.”, (2019/08/15), Browsing Date: 2022/08/24, www.mofcom.gov.cn, <http://www.mofcom.gov.cn/article/tongjiziliao/v/201911/20191102918068.shtml>.

³⁰ Li, Jianglin. 1959: *Lhasa – how the Dalai Lama fled (Lasha – dalai lama ruhe chuzou)*. Taipei: Linking Publishing Company, 2010.

Kong, the two regions remain a pain in the neck for the Chinese government. In the case of Tibet, even though those who stay in the Tibetan Autonomous Region within PRC are under serious surveillance, overseas Tibetans have preserved mainly and made the world recognize the “spiritual Tibet” – consider how well received the 14th Dalai Lama is in the liberal world. However, “geographical Tibet” is doomed in many ways unless significant structural changes are fostered in Communist China. In the case of Hong Kong, even though the enactment of the National Security Law has suppressed all dissident movements and turned the city into an ordinary Chinese counterpart sharing the same level of totalitarian governance, consistent efforts have been made by overseas HongKongers and supportive organizations such as Hong Kong Watch to voice their oppositions against the Beijing government. We may not be sure what the future trajectories of these two regions be, but we may reasonably expect that voices of resistance against the Chinese government are not going away any soon.

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Chapter Eight

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**Tibetan and Uyghur Refugees in the New Colonial Era:
Reflection on the Rise of the Chinese Colonialism**

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